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THE MONROE DOCTRINE AND WORLD WAR II

FRANCIS O. WILCOX

University of Louisville

Only a decade or two ago, the Monroe Doctrine was in disfavor. The vitriolic pens of its critics denounced it as an "indisputable evidence of our overweening national conceit." They condemned it as an "obsolete shibboleth," "hoary with age"—a doctrine which the twentieth century would surely relegate to the dusty archives of diplomatic history. As late as 1937, no less a person than the chairman of the Senate Committee on Foreign Relations remarked in the course of an interview that the Monroe Doctrine was dead.[1]

Time and circumstance, however, often bring remarkable changes. Since the beginning of World War II, the red blood corpuscles of Pan-American unity have instilled new life and vitality into the Doctrine. Curiously enough, after 120 years, the very threats which confronted President Monroe in 1823 have risen again to becloud the security of the Western Hemisphere. Historians may have argued (before the fall of France) that the Holy Alliance, with its determination "to put an end to the system of representative government," constituted a greater danger to the New World than the Rome-Berlin-Tokyo Axis. It is clear, however, that the fascist concepts of the master race and of world domination are far more menacing to democracy than the avowed aims of the Holy Alliance ever were. The tremendous striking power which the Axis has so amply demonstrated in a world shrivelled by technology, coupled with the demoralizing effects of up-to-date fifth column techniques, makes the case even clearer. If the Monroe

[1] For numerous opinions, see the address of G. H. Blakeslee, *Proceedings, Amer. Soc. of Int. Law*, 1914, pp. 217 ff. See also H. Bingham, *The Monroe Doctrine; An Obsolete Shibboleth*, p. 111; G. Nerval, *Autopsy of the Monroe Doctrine*, p. 324; D. Perkins, *Hands Off*, p. 360; J. W. Garner, *American Foreign Policies*, p. 136.

Doctrine had died by 1937, the situation a year or two later called for its immediate and complete reincarnation.

Before turning to World War II, it may be well to recall the words of President Monroe. He struck out boldly and defiantly against the Russian encroachments along our Northwest coast, and against the rumors that the Holy Alliance might attempt to restore the new republics of Latin America to the Spanish monarch. After warning that the American continents were "henceforth not to be considered as subjects for future colonization by any European power," he called attention to the differences between the political systems of Europe and America. "We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers," he said, "to declare that we should consider any attempt on their part to extend their political system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it . . . we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States."

With the various interpretations and applications of the Monroe Doctrine we cannot here be concerned. Suffice it to say that such things as the Big Stick philosophy of Theodore Roosevelt, Taft's dollar diplomacy, and the activities of American marines in the Caribbean "aggravated the uneasy suspicion of Latin America until it broke forth in a veritable epidemic of Yankeephobia which swept the entire region from Mexico City to Santiago and Buenos Aires."[2] Fortunately, however, 1933 marked a definite turning point in this era of misunderstanding. That year recorded simultaneously the pronouncement of the good neighbor policy and the accession of Hitler to power—the one to serve as a necessary antidote for the other. Certainly the high-light of the Montevideo Conference (1933) was Secretary Hull's willingness to support the decision of the delegates that "no state has the right to intervene in the internal or external affairs of another."[3] These were not

[2] J. F. Rippy, in introduction to Manuel Ugarte, *The Destiny of a Continent*, p. xi.

[3] *The International Conferences of American States, First Supplement, 1933–1940*, Carnegie Endowment, p. 122.

empty words. Speedy action in renouncing our interventionist activities in Cuba, Nicaragua, Haiti, and Panama were convincing demonstrations that the New Deal meant what it said. Further good will blossomed at Buenos Aires in 1936, when any intervention, whether direct or indirect, was declared "inadmissible." It was likewise agreed that whenever the peace of the Americas is threatened, the twenty-one governments should consult together with the thought of coöperating to preserve the peace of the Continent.[4]

Since that time, the Conference of Lima (1938) and the meetings of the American Foreign Ministers at Panama (1939), Habana (1940), and Rio de Janeiro (1942) have continued to add new ingredients to the formula. At Habana, for example, the Foreign Ministers declared that "any attempt on the part of a non-American State against the integrity or inviolability of the territory, the sovereignty, or the political independence of an American State shall be considered as an act of aggression against the States which sign this declaration."[5] The result of these deliberations has been to make the peace and security of the Americas, not the unilateral concern of Washington, but the collective concern of all the American states. Thus has been given the *coup de grâce* to the *old* Monroe Doctrine. And out of the conference debates has emerged a *new* Monroe Doctrine, continentalized or Pan-Americanized to be sure, but clearly discernible in its broader outlines.

I. HEMISPHERIC SOLIDARITY AFTER PEARL HARBOR

This move to convert the Monroe Doctrine into a common hemispheric defense policy paid rich dividends after the attack on Pearl Harbor. Within the week, messages poured into Washington from every Latin American capital assuring us that our neighbors to the south were determined to live up to their obligations in respect to continental defense. The messages of Nicaragua, Panama, Costa Rica, Cuba, the Dominican Republic, El Salvador, Guatemala, Haiti, and Honduras announced that war had already been declared upon the Axis—in most cases by a unanimous vote of the legislature.[6] Mexico recalled that "any aggression against any nation of this hemisphere will be considered by our country as an

[4] *Ibid.*, pp. 189–191.

[5] Texts in *The Department of State Bulletin* (cited hereafter as *Bulletin*), Aug. 24, 1940.

[6] See *Bulletin*, Dec. 13, 1941, for these messages.

aggression against our own sovereignty." Uruguay, Colombia, and Brazil expressed their absolute solidarity with the United States. Peru offered "every assistance in measures which the United States deems necessary . . . " Venezuela, Chile, Bolivia, and Paraguay declared that they would discharge their international obligations. And even Argentina, the most persistent fly in the Pan American ointment, assured us that she would not consider the United States a belligerent and would not subject us to the restrictions usually imposed upon warring powers by a neutral.

But actions speak much louder in diplomatic circles than mere words. At Rio de Janeiro, on January 28, 1942, the twenty-one republics unanimously agreed to far-reaching resolutions calling for the severance of diplomatic, commercial, and financial relations with Axis powers.[7] The cutting of diplomatic ties amounted to a substantial victory for the United States; it meant, in effect, that Axis agents would no longer be able to carry on subversive activities under the protective cloak of diplomatic immunity. As the conference doors closed, only Argentina and Chile maintained relations with the Axis. And even in these countries—whose governments had accepted *in principle* the policy of discontinuing relations with Germany, Italy, and Japan—it was generally agreed that the machinations of Axis agents would be curtailed considerably because of the growing pressure of public opinion and the uncertainty of their status in the future.[8]

Of equal importance were the resolutions adopted in the economic field. Not only did the American republics recommend the severance of all commercial and financial intercourse between the Axis powers and the Western Hemisphere; they also agreed to cooperate in the production of strategic raw materials and agricultural products and in the mobilization of transportation facilities important to continental defense. Of no little significance was the agreement to coördinate inter-American shipping—one of the weakest links in the Allied armor—and to put into immediate use those Axis merchant vessels hitherto immobilized in the ports of the New World. That, however, is only one side of a mutually beneficial bargain.[9] In return for the very valuable aid Latin Amer-

[7] For texts, see *Bulletin*, Feb. 7, 1942, pp. 117–142.

[8] *New York Times*, Jan. 29, 1942.

[9] See D. H. Popper, "Thoughts After Rio," *New Republic*, Feb. 9, 1942, pp. 201–202.

ica will render our war effort, the United States stands ready, according to other resolutions, to stimulate production and to stabilize the economy of the countries south of the Rio Grande. Envisaged no doubt is an outpouring of loans, technical experts, and essential materials into the undeveloped regions of Latin America. Steps will be taken also to safeguard the currency and protect the financial structure of the American republics, probably with the aid of a stabilization fund.

Two other resolutions deserve particular mention. One provides for the creation of a special committee—the Emergency Advisory Committee for Political Defense—charged with the task of coördinating measures for the suppression of espionage, sabotage, and subversive propaganda. The other calls for "the immediate meeting in Washington" of an inter-American defense commission, composed of military and naval experts, to study the defense needs of the continent. What could be more indicative of the progress that has been made to put hemispheric defense on a joint basis?

To be sure, the Rio conference was not a complete victory for the United States. Yet, as Sumner Welles pointed out, "for the first time in the history of our hemisphere joint action of the highest political character has been taken by all of the American nations acting together without dissent and without reservation."[10] In one sense, this represents a state of development considerably beyond that reached by the League of Nations before its untimely demise. Certainly the action taken by the American republics against the aggressors amounts to the application of sanctions far more drastic than those applied against Italy in 1936. Latin states, for the most part, have shied away from any international organization in the Americas comparable to the League of Nations. Yet when the crisis reached this hemisphere they were ready to act effectively and without hesitation.

This speedy, whole-hearted coöperation looms up in pleasing contrast to the Pan-American solidarity of the first World War. In April, 1917, when the United States finally declared war against Germany, a murmur of approval swept across Latin America. Even so, President Wilson's determined efforts to unite the New World against tyranny and autocracy met with only partial success. Seven states remained neutral throughout: Argentina, Chile, Colombia, Mexico, Paraguay, El Salvador, and Venezuela. Thirteen openly

[10] *Bulletin*, Jan. 24, 1942, p. 77.

demonstrated their solidarity either by severing diplomatic relations with Germany or by declaring war. Bolivia, Ecuador, the Dominican Republic, Peru, and Uruguay broke off diplomatic relations; Brazil, Cuba, Costa Rica, Guatemala, Haiti, Honduras, Nicaragua, and Panama actually entered the war on the side of the Allies.[11]

II. THE NON-TRANSFER OF TERRITORY

As the Nazi panzer divisions swept across Europe in 1940, Americans turned instinctively to the protective shelter of the Monroe Doctrine. Four European powers possessed territory within striking distance of our shores. The Dutch owned the islands of Aruba, Curaçao, and Bonaire off the Venezuelan coast, and Dutch Guiana; the French claimed Miquelon, St. Pierre, Guadeloupe, Martinique, and French Guiana; Greenland belonged to Denmark; and finally Bermuda, the Bahamas, Jamaica, British Honduras, British Guiana, and numerous islands in the Lesser Antilles owed allegiance to the British crown. With such outposts as Aruba and Jamaica only about 600 miles from the Panama Canal, it was essential that territory in the New World remain in friendly hands.

Our attention was early drawn to Aruba and Curaçao. On May 10, apparently with the blessing of the State Department, British and French forces were put ashore on these islands to help prevent possible sabotage in the oil refineries there. While the arrangement was a temporary one, involving no exchange of sovereignty, German sources complained that our use of the Doctrine was unfair; that Allied troops were allowed to do what German troops could never have done.[12] In some respects, the Germans were right. Certainly the Monroe Doctrine was not designed, like a burglar alarm, to operate automatically regardless of who is doing the breaking and entering. From time to time, we have conveniently neglected to invoke it in the face of rather flagrant violations. In the 1830's, territorial annexations by Great Britain in the New World raised not a murmur of protest from Washington. So, too, in other cases—such as the retrocession of St. Bartholomew by Sweden to France in 1877—we behaved "precisely as if the Monroe

[11] See W. H. Kelchner, *Latin American Relations with the League of Nations*, pp. 16–41. See also P. A. Martin, *Latin America and the War* (1925).

[12] *New York Times*, June 20, 1940.

Doctrine had never been invented."[13] And while it is barely possible that Washington set a dangerous precedent in 1940 by permitting the Allies to "occupy" American soil,[14] the incident demonstrated once more the complete flexibility of a doctrine designed to be applied when, in our opinion, the peace and safety of the Americas is threatened.

The possibility of the transfer of territory to non-American powers had been anticipated shortly after the war began, at the first meeting of the American Foreign Ministers held at Panama City. A resolution was adopted providing that in case "any geographic region of America" under the jurisdiction of a non-American state "should be obliged to change its sovereignty and there should result therefrom a danger to the security of the American continent," consultation among the republics should follow.[15] On June 17, 1940, the very day France collapsed, the State Department informed the governments of Holland, France, Great Britain, Germany, and Italy that "in accordance with its traditional policy . . . , the United States would not recognize any transfer, and would not acquiesce in any attempt to transfer, any geographic region of the Western Hemisphere from one non-American power to another non-American power."[16] These principles, together with an approval of the Panama measures, were incorporated in resolutions adopted by the House and the Senate.[17] As if to lend unanimity to the round of applause, both the Democratic and Republican party platforms promised to enforce and defend the Monroe Doctrine.[18]

The non-transfer principle, it should be added, cannot be found in President Monroe's original statement. It is rather a logical extension of the Doctrine, based on our desire to prevent the estab-

[13] See J. B. Moore, *Digest of Int. Law*, VI, pp. 435, 442; Nerval, *op. cit.*, pp. 155–181.

[14] On February 11, 1942, the State Department announced that American troops had been sent to the island and an AP dispatch of April 4, 1942, stated that all Dutch forces there had been placed under Rear Admiral Oldendorf of the U. S. Navy.

[15] *Bulletin*, Oct. 7, 1939, p. 334. [16] *Bulletin*, June 22, 1940, p. 682.

[17] Text in Jones and Myers, *Documents on American Foreign Relations*, II, p. 90. The Senate adopted its resolution on June 17, by a vote of 76–20; the House adopted its resolution on June 18, 380–8.

[18] The Democrats declared: "We favor and shall rigorously enforce and defend the Monroe Doctrine." The Republicans called for the building of our national defense "to the point at which we shall be able not only to defend the United States . . . but also efficiently to uphold in war the Monroe Doctrine."

lishment in the Americas of powers which might threaten our peace and safety. During the nineteenth century, our government announced on several occasions that we would not permit Cuba to fall into the hands of any European power other than Spain; Secretary Clayton wrote, in 1849, that the cession of Cuba would be "the instant signal for war."[19] In 1869, President Grant made it crystal clear that European possessions in the Americas were no longer subject to transfer from one European power to another.[20] And today, since practically all American territory has been settled or claimed for many years, the danger from transfer looms much larger than the dangers involved in colonization.

Under the cirsumstances—with tradition giving its full consent —the United States might well have played a lone-wolf rôle in applying the non-transfer principle. However, as Sumner Welles pointed out on October 23, 1940: "Recent years have made it clear that the Panama Canal cannot be rendered secure, nor our own territory be regarded as safe from invasion by air, unless the territory of our neighbors is equally secure. And that cannot be achieved without the loyal friendship of other American powers."[21] Mr. Welles was simply saying that Latin American defense problems are, to a large extent, identical with our own, and that a spirit of coöperation is the only satisfactory way of combatting the fascist technique of divide and conquer. Even the most impatient believers in democracy will admit that the exasperating delays that sometimes flow from discussion and compromise are far less significant than the advantages that come when twenty-one nations move together toward a common goal.

This spirit dominated the second meeting of the American Foreign Ministers at Habana. Expressing the fear that European territorial possessions in America "may be converted into strategic centers of aggression" against the New World, the conference, without mentioning the Monroe Doctrine, took another giant stride toward continentalizing it. Under the old Doctrine, in case some dangerous transfer of territory were attempted, the region probably would have been administered, and perhaps even annexed, by one of the American republics. Not so with the new Monroe Doctrine. The resolution adopted provides that when islands or regions

[19] J. R. Clark. *Memorandum on the Monroe Doctrine*, p. 129.

[20] See J. D. Richardson's *Messages and Papers of the Presidents*, IX, p. 3980; Moore's *Digest*, VI, p. 428.

[21] *Bulletin*, Oct. 26, 1940, p. 341.

in the Americas, possessed by non-American states, are "in danger of becoming the subject of barter of territory or change of sovereignty, the American nations . . . may set up a régime of provisional administration . . . ."[22] This provisional administration was to be undertaken by an emergency committee, made up of representatives of each of the republics, to function until the convention adopted on the Provisional Administration of European Colonies and Possessions in the Americas should receive the fourteen ratifications necessary to put it into effect. Once the Convention was in force, however, the functions and authority of the committee were to be taken over by a permanent Inter-American Commission for Territorial Administration. Any such territory, the resolution stipulates, must be administered with two things in mind: (1) the imperative needs of continental defense, and (2) the desires of the inhabitants of the regions involved. Once the emergency passes, the territory may be constituted as an autonomous state, or restored to its previous status.

It is not necessary to discuss the many interesting details of the convention at this point. The language used, however, is significant: "any transfer, or attempted transfer, of the sovereignty, jurisdiction, possession, or any interest in or control over any such region to another non-American State, would be regarded by the American Republics as against American sentiments and principles and the rights of American States to maintain their security and political independence." No detective is needed to trace the origin of that clause. Just as significant are certain other provisions: that "the acquisition of territories by force cannot be permitted"; that "force cannot constitute the basis of rights"; that the American Republics "as an international community" possess "international juridical capacity to act. . . ." The ratification of this Convention not only marks the acceptance of the Monroe Doctrine as a rule of international law in the New World; it also marks another step in the march of the American nations toward confederation.

III. THE MONROE DOCTRINE EXPANDS

One extremely significant development of recent years has been the tendency to push ever outward the limits within which the Monroe Doctrine is to operate. Until 1938, there was a very real

[22] Texts in *ibid.*, Aug 24, 1940, pp. 146–147.

doubt in the American mind whether we should risk war in order to protect *all* the Americas from Baffin Bay to the Straits of Magellan; indeed, a *Fortune* poll taken in 1937 revealed that more than sixty per cent of our people were not in favor of "defending by force any Latin-American country from foreign attack."[23] Only twenty-eight per cent answered the question in the affirmative. In actual practice, it is true, the Doctrine has been applied, almost exclusively since 1823, to the Caribbean area. But in effect those who urged that we confine our attention to the area north of the Brazilian hump or the Amazon River were doing grave injury to the words of Monroe.[24] He did not say "the Caribbean region," or "the area north of the equator." His references were to "America," "the American continents," and "any portion of this hemisphere."

An early "extension" came in the direction of Canada. Although the Doctrine had never before been applied *vis-à-vis* that Dominion, President Roosevelt left no doubt as to our intentions when, on August 18, 1938, in a speech delivered at Kingston, Ontario, he declared that the United States would not "stand idly by if the domination of Canadian soil is threatened by any other empire." Two years later, the government, strongly backed by public opinion, announced the creation of a Canadian-American Permanent Joint Board on Defense to consider "the defense of the north half of the Western Hemisphere."[25] Shortly after Pearl Harbor, this coöperation reached its high-water mark. On December 23, 1941, the Joint War Production Committee of Canada and the United States unanimously agreed upon "a combined all-out war production effort and the removal of any barriers standing in the way of such an effort."[26]

Such close collaboration is significant for two reasons. In the first place, it is an admission of the obvious fact that Canada's defense problems are our defense problems; that the protection of Alaska, the Aleutian Islands, Greenland, Iceland, Newfoundland, and other strategic outposts is of mutual concern. In the second place, it solidifies the Western Hemisphere into one defense unit, with the United States acting as the connecting link between Can-

[23] These polls are summarized in Dexter Perkins, "The Monroe Doctrine Today," *Yale Review*, Summer, 1941, p. 694. See also his article in *For. Affairs*, Jan., 1942.

[24] Cf. Allan Nevins, "New Meaning for Monroe's Doctrine," *New York Times Magazine*, July 21, 1940.

[25] Shepardson and Scroggs, *The United States in World Affairs in 1940*, Chap. 8.

[26] *Bulletin*, Dec. 27, 1941, p. 578.

ada and the Pan-American system. To the present time, in deference to her ties with the British Commonwealth, Canada has remained outside the Pan-American fold. Her statesmen, consequently, have been sorely missed at Lima, Panama, Habana, and Rio de Janeiro. It would be helpful if the present war should convert Canada to full inter-American coöperation, so that the Pan-American circle might be complete.

As the approaching storm grew more ominous, America became steadily more apprehensive. According to a Gallup poll taken in February, 1941, some eighty-six per cent of our people agreed that the United States should fight in case "Brazil, Argentina, Chile, or any other Central or South American country is actually attacked by a European power." More than that, we early found it desirable to expand the American defense orbit well beyond the borders of the hemisphere. This was, in effect, the purpose of the Declaration of Panama (1939), which, "as a measure of continental self-protection," created a 300-mile security zone about the Americas. Within this zone, declared the American Republics, belligerent nations should refrain from committing hostile acts.[27] The Declaration went even further and provided for consultation in order to decide upon the measures necessary to secure respect for the zone, and for patrol of the coastal waters in question. The belligerents, of course, rejected the proposal as a change in the rules of war which would infringe upon their legitimate rights as warring nations.[28] And all our protests at the repeated violations which ensued went for naught.

From a strictly legal point of view, the American Republics did not have a leg to stand on.[29] The rules of international law cannot be changed by unilateral action, and certainly neither the laws of war nor the Monroe Doctrine had ever been stretched to protect the thousands of square miles of ocean in question. Morally, however, the case is not quite so clear. Inasmuch as the belligerent states had staked off vast portions of the high seas as "war zones" within which neutral rights were severely restricted, would it not seem justifiable for neutral countries to set aside certain "peace zones" so as better to protect their peace-time activities from the

[27] Text in *Bulletin*, Oct. 7, 1939, pp. 331–332.

[28] Replies of Great Britain, Germany, and France in *Bulletin*, Feb. 24, 1940, pp. 200–204.

[29] On "The Monroe Doctrine and International Law: 1933–1941," see J. J. Lenoir in *Jour. of Politics*, Feb., 1942.

devastating effects of war?[30] In any case, the Declaration of Panama, based as it was upon "the fundamental law of self-protection," may well be considered a corollary to the Monroe Doctrine—a first line of defense flung out to protect the Western Hemisphere.[31]

But just what is the "Western Hemisphere?" Since the Monroe Doctrine has been so indissolubly linked to that term, it would seem important to define the phrase before attempting to decide when and where it should be invoked. According to S. W. Boggs, geographer of the State Department, "the geographical or historical Western Hemisphere" has been defined "neither by Nature nor by common agreement."[32] Assuredly the North and South American continents and their adjacent islands should be included. But what of Greenland? And Iceland? On April 9, 1941—one year after the occupation of Denmark—agreement was reached with the Danish minister in Washington granting to the United States the authority to assist in maintaining Greenland's independence, and to construct and operate on the island whatever defense facilities might seem necessary.[33] Apparently the increased tempo of Nazi activity on and about the island made it desirable to bring Greenland within the defense system of the Western Hemisphere. A week later, Secretary Hull asserted that "Greenland is within the area embraced by the Monroe Doctrine."[34]

While most geographers agree that Greenland is a part of the Western Hemisphere,[35] there is by no means unanimity in respect to Iceland. Vilhjalmur Stefansson, to be sure, squeezes it in by locating the boundary line separating the two hemispheres in the middle of the widest channel half-way between Europe and North America on the one hand and Africa and South America on the other.[36] It is true, too, that a small tip of Greenland extends farther east than the eastern portion of Iceland. But Iceland lies closer to Northern Europe by air than to North America, and its main ties

[30] See C. G. Fenwick, "The Inter-American Neutrality Committee," *Amer. Jour. of Int. Law*, 1941, pp. 19–27.

[31] In this sense, see Stephen Duggan, "The Western Hemisphere as a Haven of Peace," *For. Affairs*, July, 1940, p. 626.

[32] See his letter in *Cong. Record*, Vol. 86, p. 11963 (June 8, 1940).

[33] For text, see *Bulletin*, Apr. 12, 1941, p. 445. [34] *Ibid.*, p. 447.

[35] See the statement of Geographer Boggs cited above; see also Col. Lawrence Martin, "The Geography of the Monroe Doctrine and the Limits of the Western Hemisphere," *Geog. Rev.*, July, 1940.

[36] "What Is the Western Hemisphere?," *For. Affairs*, Jan., 1941, pp. 343–356.

are with Europe. It is apparent that the idea of the Western Hemisphere is at bottom a *political* concept.[37]

On the other hand, to protect Greenland while allowing Iceland to fall into the Nazi grip would be penny wise and pound foolish from a defense point of view, since it would be difficult to hold the one without the other. Accordingly, on July 7, 1941, our government occupied Iceland. No attempt was made to justify the move by invoking the Monroe Doctrine;[38] so far as Washington was concerned, it was purely a matter of national defense, and it was no doubt wise to avoid a wrangle over the meaning of the Western Hemisphere when so vital an issue as aid to Britain was at stake.

During the weeks that followed, German torpedoes began to take their toll in the North Atlantic. Several ships, including the U.S. destroyer *Greer*, en route to Iceland, were sunk. On September 11, President Roosevelt warned the Axis powers that, from that date on, "if German or Italian vessels of war enter the waters the protection of which is necessary for American defense, they do so at their own peril."[39] Again the Monroe Doctrine was not mentioned. But once again, in pushing ever outward our defense lines, we were admitting the inadequacy of a hemispheric defense policy in a world where a distance of three thousand miles signifies so little.

All of this means that the Monroe Doctrine of the future must be conditioned by two simple facts learned in the school of experience: (1) we in the Western Hemisphere cannot live alone; (2) we shall find it increasingly difficult to fight alone. Those who argued in 1940 that we would be able in any eventuality to defend our interests by falling back upon our own shores can see now how short-sighted such a policy is. What would be the position of the United States today had Britain fallen in 1940, if the Russians had not stopped the Nazi Blitzkrieg, or if the forces of Chiang Kai-shek had not fought so tenaciously in China these past five years? As M. Briand once said: "There is not one peace for America, one peace for Europe, and another for Asia, but one peace for the whole world." With the defense orbit of the Americas ever expanding, perhaps the time has come when, in the words of Woodrow Wilson, the Monroe Doctrine should be made "the doctrine of the world."

[37] See P. E. Mosely, "Iceland and Greenland; An American Problem," *ibid.*, July, 1940, p. 746.

[38] *Bulletin*, July 12, 1941, pp. 15–18.

[39] *Bulletin*, Sept. 13, 1941, p. 197.

IV. COMBATTING THE FIFTH COLUMN

The Monroe Doctrine was obviously directed against armed aggression, colonization, and the transfer of territory. But ideas, too, are weapons. What about fifth column techniques, economic penetration, and the like? President Monroe may never have heard of the fifth column, but he warned the autocracies that they must not attempt to "extend their system to any portion of this hemisphere." And his phrase "oppressing them, or controlling in any other way their destiny" certainly covered many subtler forms of aggression which the fascists have made fashionable in recent years.

Recognizing that the increased tempo of Nazi activities in Latin America might become more effective than bombers or sixteen-inch guns, the American Republics took appropriate action at Lima in 1938. There they applauded the spiritual unity of the Americas—a unity based upon republican institutions, a will for peace, a respect for international law and state sovereignty, and the ideas of individual liberty, humanity, and tolerance. These ideals they vowed to maintain and defend "against all foreign intervention or activity that may threaten them."[40] And they promised to consult together in case the peace or security of any American Republic is threatened "by acts of any nature that may impair them." Moreover, in the Declaration of American Principles they united to denounce intervention, aggression, and conquest, and to reaffirm their faith in such concepts as law and order, the equality of states, the sanctity of treaty obligations, peaceful change, and international coöperation. In so doing, they erected a second strong ideological fence against fascism. The fascist scoffs at the efficacy of international law. He sneers at the validity of treaty obligations. He utilizes force as the very life blood of his régime. He grinds under his heel the rights of small states. He repudiates the thought of international coöperation by the simple formula of dealing with and disposing of individual states one at a time. All this is anathema to the Americas. For even if certain Latin American capitals shelter dictatorial régimes, fascist techniques in the international sphere run counter to the ideals and traditions of the New World.

With the coming of war, more specific steps against fifth column activities were deemed necessary. At Panama, the Foreign Ministers resolved to recommend to their governments that the necessary measures be taken "to eradicate from the Americas the spread

[40] *Dept. of State, Press Release,* Dec. 24, 1938.

of doctrines that tend to place in jeopardy the common Inter-American democratic ideal."[41] In the meantime, German shooting clubs and gymnastic groups, German diplomats and "business men," German schools and newspapers, continued to present a decided danger to American unity. An alarming demonstration of how deep these subversive elements might burrow came with the *exposé*, in the spring of 1940, of a German plot to take over the government of Uruguay. The Habana conference, emphasizing the danger involved, resolved to prevent the political activities of foreign consular and diplomatic agents which might "endanger the peace and the democratic tradition of America." It was likewise agreed that each of the Republics should take steps to suppress such activities by foreign associations or political parties, and to combat any movement directed from abroad tending to foment internal disorder or threaten the free exercise of democratic government. Special efforts were to be made to curb civil strife and to regulate closely the movement of foreigners and war materials in the Americas. And finally the Foreign Ministers agreed to a full exchange of information among the states concerning subversive activities.[42]

But the road to hemispheric defense could not be paved with good intentions alone; direct coöperation in the financial, economic, and military realms had to be forthcoming before some governments could afford to take the risk involved in a stand against the Axis.[43] There are many evidences of such coöperation. The Inter-American Neutrality Committee, the Inter-American Financial and Advisory Committee, the Inter-American Development Commission, and other international machinery has been created. Plans for an Inter-American Bank have been adopted. The exchange of students and professors has been encouraged. Extensive loans have been made by the United States, and numerous military, naval, and air missions have been sent to Latin America. The construction of the Pan-American Highway has been expedited. A coffee-marketing agreement has been adopted. In short, the launching of literally dozens of such activities has demonstrated that the United States means business, and has enabled Latin America to take positive action against the fascist menace.

[41] Jones and Myers, *Documents*, II, p. 107.
[42] Text in Jones and Myers, *Documents*, III, pp. 66–72.
[43] See J. I. B. McCulloch, *Challenge to the Americas* (New York, 1940), pp. 36 ff.

V. INDIVIDUAL VS. COLLECTIVE ACTION

Some exponents of power politics have objected that the United States, by "generalizing" the Monroe Doctrine, has tied the hands of the State Department, and that at any time we might find our vital interests in jeopardy without the power to act. Suppose, in time of crisis, agreement among the twenty-one republics could not be reached. Would we be willing to act independently against the wishes of some of our neighbors, even at the risk of discarding the good neighbor policy? Or would we, in demonstrating our good faith, deliberate in the presence of a clear and present danger? Charles Lindbergh's feat of flying the Atlantic by himself, the argument runs, was not half so wonderful as if he had done it with the aid of a committee. Still less would it be advisable to call an Inter-American Conference to deliberate on the desirability of taking action against a fleet of fascist planes ready to strike at Brazil.

In practice, a happy compromise has been reached. The Declara- of Lima suggests the possibility of independent action as well as the procedure of consultation. The Act of Habana (1940) is much more specific in providing that in emergencies which cannot wait upon committee action, "any of the American Republics, *individually or jointly with others*, shall have the right to act in the manner which its own defense or that of the Continent requires."[44] This point of view, moreover, was emphasized by the joint resolution of April 10, 1941, overwhelmingly passed by the House and Senate. If an attempt to transfer territory from one non-American power to another should appear likely, ran the resolution, "the United States shall, *in addition to other measures*, immediately consult with the other American Republics to determine upon the steps which should be taken to safeguard their common interests."[45] With this formula of acting first and consulting later, it is apparent that our national security has not been bartered away.

Emergency measures taken by individual states or groups of states are, of course, subject to review both by the public opinion of the Western Hemisphere and by the other nations in consultation. Thus far no sign of bad faith has appeared. The naval and air bases in Newfoundland and British Guiana, and in the islands of Bermuda, the Bahamas, Jamaica, St. Lucia, Trinidad, and An-

[44] Text in Jones and Myers, *Documents*, II, p. 95. Italics mine.

[45] Public Law 32—77th Congress; text in Jones and Myers, *Documents*, III, p. 95. Italics mine.

tigua, which we secured from Great Britain in exchange for over-age destroyers were, to be sure, leased to the United States alone. As Lord Lothian pointed out, however, the British government granted the leases in order "to strengthen the ability of the United States to coöperate effectively with the other nations of the Americas in the defense of the Western Hemisphere."[46] And Washington hastened to assure the other American capitals that the facilities of these bases would be made available "on the fullest coöperative basis" to all American states for the common defense of the hemisphere.[47] Somewhat the same situation existed in the case of Greenland and Iceland. Thus the agreement of April 9, 1941, bestowed upon the United States alone the right to contruct and operate landing fields, harbors, roads, etc., in Greenland. Yet according to the State Department these facilities have been made available to the airplanes and vessels of all the American nations for common defense purposes.[48]

VI. FASCIST IMITATIONS

A few words should be said at this point with respect to the Japanese and German counterparts to the Monroe Doctrine. Viscount Ishii wrote in 1933: "Generally speaking, our policy in China has been based upon the belief that the establishment of an *imperium in imperio* upon her soil by any powerful third nation or group of nations is not only derogatory to her integrity, but is also incompatible with our own security. In this we have been actuated by the same principle incorporated in the Monroe Doctrine."[49] Extending this argument, many unsuspecting Americans—as late as Pearl Harbor—have asked: "Are not Germany and Japan justified in their attempt to dominate Europe and the Far East? If the United States insists upon the Monroe Doctrine, can she deny the logic of Germany's *Grossraumordnung* or Japan's "New Order?" Even as late as March 16, 1942, the weekly publication of Father Coughlin declared that Japan's policy of Asia for the Asiatics "is

[46] Lord Lothian to Secretary Hull, Sept. 2, 1940. *Bulletin*, Sept. 7, 1940, pp. 196–201.

[47] *Ibid.*, p. 196.

[48] *Bulletin*, p. 446, Art. IV of the Agreement. See also the statement of Acting Secretary Sumner Welles of July 1, 1941, in *ibid.*, July 5, 1941, p. 9.

[49] See his article in *For. Affairs*, Jan., 1933, p. 277. On June 14, 1940, Herr Hitler was quoted as disclaiming any interest in American affairs. "America for the Americans, Europe for the Europeans," he said. *New York Journal and American*, June 14, 1940.

nothing more than an expression of our own Monroe Doctrine."[50]

On July 6, 1940, President Roosevelt's press secretary, Stephen Early, unwittingly bolstered this argument when he remarked that our government thought there should be applied a "Monroe Doctrine" for each of the continents.[51] This unfortunate remark, misinterpreted as it was, gave comfort and encouragement to fascist sympathizers. Mr. Early later explained, however, that he had by no means wished to advocate giving Germany and Japan a free hand on their respective continents, and on July 8 Secretary Hull announced that the correct statement of American foreign policy had been embodied in a note of July 5 to the German government. Mr. Hull's words are worth quoting:

> "It [the Monroe Doctrine] contains within it not the slightest vestige of any implication, much less assumption, of hegemony on the part of the United States. It never has resembled, and it does not today resemble, policies which appear to be arising in other geographical areas of the world, which are alleged to be similar to the Monroe Doctrine, but which, instead of resting on the sole policies of self-defense and of respect for existing sovereignties, as does the Monroe Doctrine, would in reality seem to be only the pretext for the carrying out of conquest by the sword, of military occupation, and of complete economic and political domination by certain powers of other free and independent peoples."[52]

In other words, there is as much difference between the Monroe Doctrine and its Axis counterparts as there is between day and night. With its imperialistic connotations gone, the Monroe Doctrine does not seek to suppress the liberty of peoples; it exalts no master race privileged to exploit other nations; it lays claim to no special interests or economic privileges for its sponsors. It is solely a collective policy of self-defense, designed to prohibit non-American states from acquiring territory or political control in this hemisphere.[53] Moreover, the United States has not resorted to aggression to find an outlet for its capital in Latin America. Nor has it claimed any special privileges in respect to trade or natural resources. The door in Latin America has stood open for all comers.

To be sure, the United States has drawn severe criticism for the use of armed force in the Caribbean. But even here there are sharp differences. In our interventionist activities, we have broken no important treaties such as the Kellogg Pact, the Nine Power

[50] Cited in the syndicated column of Drew Pearson and Robert Allen, Mar. 26, 1942. [51] *New York Times*, July 7, 1940.

[52] Text, in substance, in Jones and Myers, *Documents*, II, p. 92.

[53] See G. H. Blakeslee, "The Japanese Monroe Doctrine," *For. Affairs*, July, 1933, pp. 671 ff.

Treaty or the League Covenant—all wantonly violated by the Axis—and we ordinarily have acted in accordance with the desires of the local population. In all cases, too—Cuba, Haiti, Santo Domingo, Nicaragua—when it seemed necessary to intervene, we have respected the rights of the small state to live, and have withdrawn after the restoration of law and order. If the United States should honeycomb Latin America with fifth columnists, bomb it into submission, occupy it with troops, tanks, and ships, enslave its people, drain it of its raw materials, and at the same time severely restrict European and Asiatic trade, then a more logical analogy might be drawn between the two Doctrines.

VII. THE MONROE DOCTRINE AND ISOLATIONISM

On numerous occasions, isolationists have read into the Monroe Doctrine a duty on the part of the United States to refrain from interfering in European affairs. Under this interpretation, American-European relations must be on a *quid pro quo* basis; Europe should refrain from participating in the political affairs of the New World, and the United States in turn must not meddle with the political affairs of the Old. Given American devotion to the principles of 1823, this argument, bolstered by the fair name of Monroe, has had a tremendous influence on our foreign policy. As a result, we have the curious picture of Uncle Sam attending numerous international conferences always accompanied by the Monroe Doctrine, an over-anxious chaperon who puts a restraining hand on his shoulder whenever he is about to depart from the beaten path of isolation. In 1899, our delegation at the Hague Conference signed the convention for the pacific settlement of disputes with the reservation that nothing in the convention should be construed to "imply a relinquishment by the United States of its traditional attitude toward purely American questions."[54] And after the war the opponents of the League, the Permanent Court, and the Kellogg Pact waged their offensive largely on the ground that our joining would mean a repudiation of the principles for which Monroe stood.

In 1940, this argument was appropriated by the German government. Replying to a note of June 18, suggesting that the United States would not recognize any transfer of territory in the Western Hemisphere from one non-American power to another, the German Minister of Foreign Affairs objected that our interpretation would

[54] Moore, *Digest*, VI, p. 594.

deny to certain European states the right to possess territories in the American region. Such an interpretation obviously "would be untenable." Furthermore, concluded von Ribbentrop, "the non-intervention in the affairs of the American continent by European nations which is demanded by the Monroe Doctrine can in principle be legally valid only on condition that the American nations for their part do not interfere in the affairs of the European continent."[55]

In his statement on the German note, Secretary Hull pointed out that the United States "pursues a policy of non-participation and of non-involvement in the purely political affairs of Europe. It will, however, continue to coöperate . . . with all other nations, whenever the policies of such nations make it possible, and whenever it believes that such efforts are practicable and in its own best interests, for the purpose of promoting economic, commercial, and social rehabilitation, and of advancing the cause of international law and order . . . "

In rendering this interpretation of the Monroe Doctrine, Secretary Hull stood on firm ground. The Doctrine, in fact, was never intended to be a perpetual pledge of American isolation. Nor were the men who made it dogmatic followers of a blind stay-at-home policy. Rather, they were realists who based their action upon hard, cold facts, not upon any blanket formula. The best interests of the American nation called for the adoption of the Doctrine as the logical method to meet a particular dilemma. That is why it was issued in 1823. Such leaders as Jefferson, Madison, and Monroe even then were inclined to cast our lot definitely with Great Britain and give the Doctrine to the world as a joint enterprise.[56] And even Adams, whose view finally prevailed, promised that "should an emergency occur in which a joint manifestation of opinion by the two Governments may tend to influence the Councils of the European Allies," the United States would "cheerfully join in any act, by which we may contribute to support the cause of human freedom and the Independence of the South American Nations."[57]

It follows, as Secretary Hull reminded the German minister, that the Monroe Doctrine "is solely a policy of self-defense, which

[55] From Secretary Hull's synopsis of the German reply, *Bulletin*, July 6, 1940.

[56] Moore, *Digest*, VI, p. 397; Madison's *Works*, III, pp. 339–341; Hamilton, *Writings of James Monroe*, VI, pp. 323 ff; Ford, *Writings of Thomas Jefferson*, XII, p. 318.

[57] For text, see W. C. Ford, "John Quincy Adams and the Monroe Doctrine," *Amer. Hist. Rev.*, Oct., 1902, pp. 22 ff., cited in Perkins, *Hands Off*, p. 48.

is intended to preserve the independence and integrity of the Americas." As such, it involves no self-denial on our part, or any promise to confine our activities to the Western Hemisphere. We have never, in other words, yielded the right to protect American interests abroad or to take any action which our national welfare demands at any time. This fact has been strikingly demonstrated during World War II by the numerous laws, resolutions, and conventions subscribed to by the United States which certainly involved a measure of interference in the affairs of Europe.[58] Yet, now that the tremendous power of fascism has become known, the fallacy of supinely waiting for the enemy to meet him on our home grounds is obvious. Let us hope that World War II has vaccinated the Monroe Doctrine forever against the virus of isolationism.

* * * *

In this recent outburst of Inter-American coöperation in the financial, economic, political, cultural, and defense areas, the optimist may see a cheery omen for the post-war world. Great strides have been made toward collective security and an effective sanctions system. Nor will the treaty of peace bring to an abrupt halt many of the projects already launched; certainly the development of American resources (rubber, tin, etc.), the construction of huge new plants, and the blueprints for transportation facilities in Latin America are long-run designs. Coöperation for the duration only would be both inexpedient and unprofitable.

That long-range plans are being laid in Washington and in various Latin-American capitals is no secret. The Rio Conference not only applauded the terms of the Atlantic Charter, but accepted several far-reaching principles which point to continued close collaboration in exploiting the wealth of the Americas and raising the standard of living of its people. "Collective security," resolved the Conference, "must be founded not only on political institutions but also on just, effective, and liberal economic systems. . . ."[59] Resolutions referred to the need for "equal opportunities for all Nations" in the realm of world trade, and for the "new economic and political order" necessary for world peace. That the Conference meant business is shown by the fact that it instructed the Pan-American Union to look forward to the peace and to convoke a conference for the study of post-war problems. World War II, utilizing the new Monroe Doctrine as its cement, may be building a genuine base for Pan-American unity in the future.

[58] See P. C. Jessup, "The Monroe Doctrine in 1940," *Amer. Jour. of Int. Law.* Oct., 1940, p. 708. [59] *Bulletin*, Feb. 7, 1942, pp. 134, 135.

THE REVIVAL OF ORGANIC THEORY

FRANCIS G. WILSON
University of Illinois

Theories of the nature of the political community vary with conditions. Just as political pluralism was a phase of the late mellowness of liberalism, so the organic theory of the state is suited for more heroic moments. When integral nationalism was discovered in the United States after the defeat of the South, it was not inappropriate that organic theories should have been supported in order to explain the place of the American nation in history. Nor can it be surprising that today some of the leaders of the United States are looking at the nation as a kind of social organism.

If one reads with attention the words of President Lincoln during the early days of the Civil War, it can be seen that the Union was more than just a voluntary association of political communities. The states had their being within the Union, and the Union itself had given birth to the states. Even the history of Texas and its relation to the Union did not impress Lincoln as simply consensual, for if there was consent it was all on the side of Texas.[1] Whatever liberty and authority the states possessed they derived from the Union, and not from any original powers of their own. When the Union became a symbol of organicity in the mind of the North, the earlier individualistic theory of the state was remote enough. The social contract, the consent of all to government, was suitable in the American Revolution, since protest was being made against the specific, arbitrary actions of the British government, animated it would seem by a total conception of Empire. To Lincoln, states, like individuals, were a part of the Union, and the Union might be broken neither by citizens nor by states.

Even before the Civil War, the principles of Manifest Destiny and the variously associated doctrines which justified expansion carried some implications of the organic character of the American nation. History, Providence, the finger of destiny—all indicated that the territory to the north and south, east and west, should become a part of the United States. The superior rights of the American nation over Indians and culturally diverse peoples were easily, even casually, asserted. The Mexicans, in the war with that nation, were regarded as an inferior and benighted people whose historic oppor-

[1] See special session message, July 4, 1861.

tunity was less than that of Americans. It cannot be said, of course, that the principle of Manifest Destiny was ever systematically explored as social doctrine, not even in the great debate of 1900 between the Democrats and Republicans over our policy of Asiatic expansion. But behind whatever doctrine might be used to justify a particular territorial expansion lay the assumption that the American nation was a unified whole, at least against all other nations, and that we had a mission to bring liberty and republican institutions to those not favored with our blessings.[2]

We can say, therefore, that the ground was being patiently tilled for the later and more rounded assertions of national organicity. Lincoln stands between the legalistic constructions of the Union and the assertion after the Confederate War of a genuine or explicit theory of the national organism. The purely legalistic and historic conceptions of Webster and Story give place lightly to the conception of the moral unity of a people which is superior to any documentary technicality. The publicistic assertions of the organic nature of the Union and the nation in the years following the war raise a number of questions. Were writers such as Brownson, Hurd, and Mulford[3] expressing anything the American people, outside of the South, really felt? Or were they just copying European doctrines on the nature of the state which had no relevance to American conditions? Had not American nationalism gone beyond the simple assertion of the subordination of the states in the Union? Had we not progressed for the moment to the view that the individual is morally a part of the greater social whole? If we may feel sure that organic nationalism in the years after the war was a continuation and an expansion of earlier doctrines, may we not also feel that there was a general conviction that behind the Constitution was the Union, the morally united society of American citizens? If such is the case, we cannot dismiss lightly the organic nationalists of the generation after the War. They were expressing the more refined and intelligent convictions of men in the perspective of four years of struggle for the preservation of the nation.

[2] See, in general, Albert K. Weinberg, *Manifest Destiny; A Study of Nationalist Expansionism in American History* (1935).

[3] See O. A. Brownson, *The American Republic* (1866); John C. Hurd, *The Theory of Our National Existence* (1881), and *The Union State* (1890); Elisha Mulford, *The Nation* (1870); Thomas I. Cook and Arnaud B. Leavelle, "Orestes A. Brownson's 'The American Republic,'" *Review of Politics*, Vol. 4, pp. 77 ff. (1942).

The discovery of the nation required a coherent statement of the basis of the nation.

Nationalism leans toward the subordination of the individual to the historic experience of a people. How could we feel that the American nation had a mission to the rest of mankind if we did not also feel that all individuals participated in that mission by the mere fact of being a part of the larger whole?[4] The defense of the nation, along organic lines, in the works of Francis Lieber and John W. Burgess is not to be regarded as an erratic statement of political philosophy. These writers were continuing the older, yet half-articulate, theories of organicity in national life. While Lieber spoke more of the contribution of the nation to civilized and free life, Burgess accepted also the principle of the superiority of the Teutonic peoples, including Americans, in the building of national, and therefore free, states.[5] We may urge also that Southern thought, in its defense of Southern nationalism, was not implicitly different. The defense of the hierarchy of a slave society demanded the assertion of the supremacy of the community over the individual. The work of Calhoun indicates clearly a kind of regional organicity which the total nation was unwilling to accept.[6]

We are today engaged in a vast struggle in which the individual must be asked not to assert his individuality except in terms of the larger needs of war. The individual is a functional unit of the larger whole; the unity of the nation must transcend the diversities of thought and interest which are the luxuries of a more stable hour. Anger is rising against the presumption of class interests; labor faces a mounting volume of recrimination, which may well be followed by the assertion of national authority against its traditional claims. Business leaders who fail to perform the duties of production in war are being exposed and pilloried by investigating committees in Congress; and professional interests, such as medicine, are being mobilized in terms of military functions. Even the Gallup Poll, which implies constant division of opinion among the people, has faded from the picture, and censorship assumes a moral responsibility for the information which the average citizen may rightly have. It is a time in which we turn, as often before, to the

[4] See, in general, Ralph H. Gabriel, *The Course of American Democratic Thought* (1940).

[5] See Francis Lieber, *Political Ethics* (1838–39), and *Civil Liberty and Self-Government* (1853); John W. Burgess, *Political Science and Comparative Constitutional Law* (1890).

[6] See *The Works of John C. Calhoun*, ed. by R. K. Crallé (6 vols., 1853), Vol. I.

nation as something which stands above the morality of individuals and groups; as men turn to the nation, they accept the moral purposes which are schematized in the utterance of leadership. The rights of individuals have meaning only in the significance of the rights and duties of the nation in a world of conflict.

A statement of prime importance in the changing theory of the state in America is the third inaugural address of President Roosevelt. The mere fact that it was the *third* inaugural has symbolic significance, for it is only a people which recognizes the moral import of the nation or the community that will stress the ethical contribution of strong leadership. In part, we have witnessed a mass flight of American citizens from the moral connotations of individuality. Times of trouble suggest to the most sturdy the moral superiority of the whole, of the group, and the ethical import of leadership. If the British may use the symbolism of monarchy to maintain the sense and integration of the whole, the American must glorify leadership, whether dead as in the case of Washington, Jefferson, and Lincoln, or living as in the case of Franklin D. Roosevelt. We must urge, of course, that the moral response to leadership may fail with leadership itself, while the response to the organic nation involves a symbolism which, like the king, can do no wrong.

In the third inaugural, the President said:

"Lives of nations are determined, not by the count of years, but by the life-time of the human spirit. The life of a man is three-score years and ten: a little more, a little less. The life of a nation is the fullness of the measure of its will to live. . . .

"A nation, like a person, has a body—a body that must be fed and clothed and housed, invigorated and rested, in a manner that measures up to the standards of our time.

"A nation, like a person, has a mind—a mind that must be kept informed and alert, that must know itself, that understands the hopes and the needs of its neighbors—all the other nations that live within the narrowing circle of the world.

"A nation, like a person, has something deeper, something more permanent, something larger than the sum of all its parts. It is that something which matters most to its future, which calls forth the most sacred guarding of its present."

What do these statements imply? Were they accidentally inserted in the inaugural address? We can hardly think so, for the address is a peculiarly responsible utterance. They are in the address because they fit the spirit of the times, just as Lincoln's words on the nature of the Union bespoke the rising convictions of

the North. As the President insists that individuals must seek their moral stature in the nation, so the individual is willing, in times like these, to agree.

There is nothing of the cruder concept of the social organism in the Rooseveltian theory of the organic nation. Neither the literalism of a John of Salisbury nor that of a Bluntschli is to be found in it.[7] The American nation is plainly a moral rather than a physiological organism. Implicitly, the President's position is like that of the British idealists, such as Thomas Hill Green, whose *Lectures on the Principles of Political Obligation* might well be understood in the present conflict in which the United States is engaged. True, idealism of this nature is authoritarian and to a degree *étatist*,[8] but it is not theoretically arbitrary in relation to individuals. It assumes a general will, as did Green—a general will which is the expression of the permanent, common interests of free men, that is to say, morally free men and not capriciously so. It assumes likewise that the national state is the widest permanent expression of that set of common interests which is the basis of all morally free existence.

On the other hand, we must go farther. Most political leaders have moved in the direction of the organic nation. We must distinguish between the organic theory of the authoritarian states and that of the democracies. One statement in the Roosevelt exposition of the doctrine emphasizes the international relationship of nations. The permanent nation is in the context of relationship with other such nations. While the nation may not, implicitly, be submerged in the international society, it nevertheless draws part of its moral inspiration from a common democratic society extending over the world. We cannot see the idea of the superstate in Roosevelt's theory; the moral functionality of modern man comes first from the nation, and reflects itself in terms of assistance to other nations animated by similar moral and democratic purposes. In statements by Mussolini, for example, which assert a somewhat similar doctrine, the highly significant international element is completely omitted.[9]

[7] See Francis W. Coker, *Organismic Theories of the State* (Columbia University Studies, Vol. XXXVIII, 1910).

[8] Cf. William M. McGovern, *From Luther to Hitler* (1941).

[9] "The Political and Social Doctrine of Fascism," *International Conciliation*, No. 306 (1935).

Thus we reach the conclusion that it is only the democratically informed nation that contributes to the moral growth and the future of the individual. But democracy again is not limited to particular structural or political devices; it is a spirit of freedom in subordination to the community that gives it form and vitality. The moral claims of such a community reach above the claims of any class or theory for the organization of society; plainly, the moral content of society is more significant than the materialistic or economic basis of the community. If we would seek analogy from the history of political thought, we should turn, in addition, to the idealism of Green, to the historicism of Burke. When Burke was rejecting the violence of the French Revolution and the revolutionism which was sweeping Europe, he turned to the moral continuity of the nation. Society was a contract, but it was a contract for the future—an implicit, necessary and unbreakable agreement between the dead, the living, and those yet to be born.[10] When Roosevelt speaks of the mind, the body, and the future of the nation, he is speaking as Burke might speak today were he again to face the swelling tide of revolution and try to stem it with his own torrent of words and patriotic emotion.

As Roosevelt interprets the organicity of the American nation, there is continuity in the structure and morals of our society. There is a continuity which those newly attaining the age of citizenship must accept, and before which must bow those who come in their maturity to the responsibilities of American society. The American nation as a functioning, historic organism rejects the fascist revolution and the authoritarianism of the dictatorships; it rejects likewise, it would seem, the discontinuity in national morality implied in socialism. Roosevelt's doctrine is, withal, a doctrine of conservative nationalism. There is authority, legitimate authority, in the nation because of the moral contribution it makes to the life of each citizen. Because of this, there is permanence in the national organism. The morality of a national society expresses itself in a unified will—a unification which may be far beyond the conventional principle of federal decentralization embodied in the old but remodeled Constitution.

[10] *Reflections on the French Revolution, and Other Essays* (Everyman's Library, 1910), p. 93.

FICHTE AND NATIONAL SOCIALISM

F. W. KAUFMANN
Oberlin College

Next to Hegel and Nietzsche, Fichte is the German philosopher most frequently blamed as one of the principal inspirers of the National Socialist ideologies of state despotism and the superiority of the German people. Indeed, it is not difficult to find in Fichte's work any number of passages which might be interpreted in such a way as to corroborate these views.[1] In the writings of his middle period, around 1800, Fichte arrives at a despotism of reason which in its practical application might be even more consistently restraining than the rule of our modern dictators. In his programmatic speeches for the restoration of the German nation, he ascribes to his people a divine mission which has shocked many of his interpreters. Therefore we cannot be surprised that historians who, in accordance with the demands of their profession, lay more stress on the effects of thoughts and actions than on the intentions which motivate them, attribute to Fichte a good share of responsibility for the ideology of the National Socialist party and its hold on the German people. Yet these historians are right only with regard to the external form, while the intended aims of the two systems of thought are diametrically opposed to one another.

On the whole, Fichte is a moral idealist whose principal concerns are the political and inner freedom of the individual, the right and duty of the individual to contribute his best to the welfare and the cultural progress of his nation, the independence of all nationalities, social security, and an acceptable standard of living for every human being. These demands are based on a genuine respect for the dignity of man and the desire to contribute to the rule of humanitarian values in all human relations. The National Socialist, on the contrary, is fundamentally an egotistic materialist, a ruthless *Herrenmensch*, with a deep-rooted contempt for freedom, equality, and all humanitarian values.

Fichte began as a radical liberal and a Jacobin. As such, he condemns the absolute rulers for the exploitation of their subjects and the aristocracy for their arrogance and immorality. He demands the abolition of serfdom and the right of every citizen to a minimum

[1] Cf. Peter Viereck, *Metapolitics* (1941), and Hans Kohn's review in *The Nation*, Oct. 11, 1941.

standard of subsistence. He denounces the controversies of the theologians as intolerant irreligion, and rejects the dogmas of the Church as useless for the moral education of the masses. With the rationalists of the eighteenth century he shares the belief that man is good and gifted with a reason that enables him to control his affairs with a minimum of governmental interference.

In the writings of his mature period, Fichte realizes that the Jacobin *laissez-aller* attitude could be practicable only if men were as good as the rationalists considered them to be, and if they actually followed the guidance of reason and moral conscience when left to themselves. But the refutation of the naïve, optimistic assumption of man's natural goodness by the development of the French Revolution caused Fichte to adopt a melioristic conception of man. Man is neither good nor bad; nor is he normally inclined to judge and decide for himself. He prefers to be driven by circumstances and the decision of others. Therefore one must create circumstances under which man would be relieved of the pressure of dire necessity and must then educate him to the proper use of reason. Thus reason, which had theretofore been assumed to be a property of man, now becomes a moral postulate: man has the ability, and therefore the obligation, to *become* the reasonable master of his destiny. Consequently the state is given the power to create those physical conditions under which such an aim can best be achieved and to educate the masses to the state of reasonableness.

Whatever National Socialist theorists may say about the freedom of serving the state, in practice the citizen of the Third Reich is nothing but an instrument of the leader of the state and his imperialistic projects. Purity of the Aryan blood, physical fitness, and blind obedience are the virtues considered most essential. What is good or bad, reasonable or unreasonable, is the concern of the leader alone, whose only criterion is expediency of the moment. The state assumes responsibility for the physical welfare of its citizens for no higher aim than to make them ready to die for the glory of *Führer* and fatherland.

Fichte's political ideal is, in the first place, a welfare state. Superficially, it has much in common with the absolutistic state of his time. Although he repudiates the despotism of the absolutistic régime, with its concern for the happiness, the property, the health, the beliefs, the virtues, and the eternal salvation of its subjects, he

extends the function of the state to include the regulation of all practical affairs of life. Yet he remains a liberal republican with regard to the purpose of the state, which is to free man for his essential duty, the use of reason.

In his treatise *Der geschlossene Handelsstaat* ("The Closed Commercial State"),[2] Fichte applies his energetic and functional view of knowledge and life as *doing* rather than *being* to the economic foundation of the state. Adopting the medieval idea of real property as fief of the state, he substitutes for the static conception of property as personal possession of things the dynamic conception of property as fruition of the produce. The underlying idea is that of social justice and equality: every citizen has an inalienable right to a comfortable subsistence. With a flexible population, such subsistence can be guaranteed only if ownership is kept flexible and adjustable to the needs of the individual. Therefore the state must own the soil, the natural resources, and the means of production, and also have the right to redistribute the use of all means of subsistence according to reasonable demands and needs. Thus Fichte's political ideal of the closed commercial state resembles modern European dictatorships. But it is a communistic rather than a Fascist or a National Socialist state. In the administration of the state, Fichte's main concern is the welfare of the masses in accordance with the humanitarian principle of social justice. Fascism and National Socialism share with Fichte's ideal state the extraordinary control of property; yet neither the Italian nor the German government has ever attempted to expropriate systematically the owners of large estates and to undertake a more equitable distribution of wealth; they have expropriated industrialists, Jews, and political dissenters solely for the benefit of the ruling party and the war-chest, and have continued a well-established social insurance and public welfare system only as a means for gaining the support of the masses. The aim has been the enslavement of all inhabitants of the living-space for the benefit of the Aryan master-race. The humanitarian principles of social justice and equality of men are prostituted for this ignoble purpose.

Since the basic function of the rationalized state is the proper distribution of the means of subsistence, the state, in order to control this distribution permanently and effectively, must maintain the proper balance among the producers, the manufacturers, the

[2] Cf. also *Das System der Rechtslehre.*

merchants, the relatively small group of state officials, the teachers, and the army. The state regulates the number of people employed in the various professions by the system of the *numerus clausus*, that is, by constantly balancing and controlling the number of future members of the various professions. The system of the *numerus clausus* had been applied in Germany in the academic professions even before Hitler. It is more rigidly applied in the Third Reich, not as a means of stabilizing and securing the general welfare, but is completely distorted in favor of the Aryan superrace, and especially for the benefit of the minority belonging to the ruling party. The obvious disadvantage of any such system is that, by its extreme rationalization, it endangers the ultimate end of Fichte's state—the cultivation of reason. For by limiting the free choice of professions one necessarily limits the chance of finding those few outstanding persons of talent on whom the development of knowledge and culture depends. This danger, however, is infinitely greater for the National Socialist state than it would have been for Fichte's imaginary state, because the restrictions which Fichte proposes concern only the basic distribution among the professions without any intent to limit the access of the whole population to the spheres of knowledge and cultural achievements. Furthermore, his state would deal only with large groups, and not with a minority selected on non-intellectual principles.

Fichte also tries to solve the problem of balancing the distribution of goods. His state would supervise the proper flow of goods from the producer to the manufacturer and to the consumer, so that no citizen would ever lack the necessary products and would obtain only those luxuries which could be procured without restricting the production and distribution of the necessities. He would also completely isolate his state from foreign countries, particularly from those living under the economic system of free competition and free trade. The producer must not be hampered by unrestrained foreign competition, and the consumer must be protected by a reasonably stable currency. Therefore Fichte provides that no individual citizen be allowed to trade with foreign countries and that all necessary exchange of goods in foreign trade be handled by the state. In order to maintain its independence, the state should strive for self-sufficiency. Self-sufficiency, according to Fichte, is not possible until the state has reached its natural boundaries; the territory of the state must comprise enough agri-

cultural area and enough natural resources to provide those products which are absolutely essential for a decent subsistence of its population. The natural economic boundaries of the state must therefore be secured, even at the expense of war; indeed, wars are inevitable as long as these conditions have not been met.

The National Socialist measures of rationing, of self-sufficiency, and of living-space thus may have a counterpart in Fichte's Utopia. Yet they are totally different in purpose and application. Rationing and self-sufficiency were conceived by Fichte, at a time when Germany was an agrarian state, as a means of releasing as many energies as possible for the higher, cultural aims within the nation and of eliminating all economic friction and thereby obviating the danger of war with other nations. National Socialist rationing and self-sufficiency are means of accumulating monetary reserves for the importation of war material. The apparent ruthlessness of Fichte's conclusion that a living-space must be established even by military conquest is greatly alleviated by the complementary provision that the same country which acquires territory in this fashion must also voluntarily cede to neighboring countries those territories which do not belong to its natural sphere. Moreover, the creation of natural territories is advocated to the end that future wars may be obviated; and it is understood that the natural territories would coincide roughly with the boundaries of national groups. All further expansion, particularly colonial conquest, is definitely rejected; and once the natural boundaries of a nation have been established, all possible guarantees are to be given to respect the integrity of neighboring countries.

Fichte's proposals for the creation of self-sufficient states must also be considered in the light of the conditions prevailing in Germany around 1800. The country was then divided into hundreds of small, independent principalities, duchies, counties, etc. Most of these principalities consisted of numerous small fragments, which, in the case of Prussia, were scattered over the whole of Germany from the Rhine to East Prussia. Fichte's advocacy of expansion, therefore, was, on the whole, an advocacy of civil revolts against a useless lot of potentates, and not an encroachment upon the rights of other nations. The modern theory of living-space is based on almost exclusively economic considerations; it demands control of all the natural resources vital to modern industry; it means the conquest, or, at least, the economic and political control, of Europe and the acquisition of colonies in all parts of the world. While

Fichte accords the right of living-space to every nation and imposes lasting restrictions on the people of his Utopian state, National Socialism makes living-space an exclusive prerogative of the German race and ruthlessly invades every country which refuses to submit to its economic control. The issue of uniting German nationals in one state has been discarded as soon as it had fulfilled its purpose of deception; nationalism is nothing but an instrument of the economic and political machine. Despite their megalomaniacal claim of racial superiority, the National Socialists unscrupulously sacrificed national honor and the best of German tradition to economic materialism.

In order to make the isolation of his state effective, Fichte further proposes currency restrictions which would prevent the accumulation of wealth and prohibit transactions with foreign countries. The money of the closed commercial state has only an artificially stabilized exchange value. It is not backed by a gold reserve, but by the consumers goods available in the country. The state regulates the proportion between the amounts of goods in circulation and the amount of currency. Gold as a means of international trade is the exclusive property of the state. Travel to foreign countries is limited to those whose purpose would serve the material and cultural interests of the state, that is to craftsmen and manufacturers who want to study foreign methods of production, to scholars and artists whose work depends on international exchange of ideas, and to statesmen.

Again we notice a close parallel to the economy of the National Socialist state, which maintains a double currency, one for internal and one for foreign circulation, and which restricts foreign travel in order to tighten the closed economy. But again the reasons are diametrically opposed to one another. Fichte's measures are self-imposed restrictions intended to increase the external and internal stability of the state and thus provide the best possible conditions for the development of national and cultural values. The National Socialist measures were born of necessity, and later systematically abused to undermine the foundations of world trade and thereby to destroy the political structure of creditor states. In the hands of unscrupulous exploiters, these restrictions have become instruments of territorial expansion in a "white war."

By isolating his country from other nations, Fichte hoped not only to secure a moderate standard of living for his people, but above all to awaken a national consciousness which had been dor-

mant for centuries in the German people. He hoped to develop a national character distinct from others because he believed that only a strong individuality would be able to create higher moral and cultural values, and that a people with national self-respect would respect other nationalities as their equal and would provide sufficient guarantee for international understanding, enduring peace, and the moral progress of humanity. National Socialism professes to use the same economic means for similar ends: a strong, united, self-respecting Germany is to become the center of the New Order which would guarantee economic stability and thereby the welfare of Germany, Europe, and humanity itself.[3] In practice, however, the economic restrictions of the Third Reich are used as an instrument to crush all individuality in favor of the state machine. The National Socialists aim at transforming Europe into an immense factory in which every human being labors as a slave under the lash of one chief engineer, a bureaucratic, arrogant, ruthless central authority. The New Order is an attempt to destroy any individual national character in its orbit in favor of an absolutely impersonal, and therefore a most inhumane, economic system.

The closed commercial state is a *Zwangsstaat*, a coercive state, which imposes enormous restrictions upon individual rights and individual freedom. Yet Fichte maintains in all his writings that freedom is the purpose of life, and he never ceases to attack the oppressive government of the absolutistic rulers. The resolution of this paradox is to be found in his conception of man, not as an individual, but as an integral part of human society, and of national community in particular. That is the explanation which Fichte gives, for instance, in *Die Grundzüge des gegenwärtigen Zeitalters*, when he says that "in a perfect state there is no individual aim which has no relation to the whole and is not provided for by the whole." That is, man is the freer the less he is guided by his own personal interests and the more he is motivated by loving care for the physical and spiritual welfare of his fellow men. Fichte himself describes the dilemma of freedom and coercion in the third chapter of the *Staatslehre* as follows: "Everyone has the moral obligation to act according to his insight; but what is right can be learned and generally accepted only by means of preceding coercion. Coercion is the instrument by which the individual is changed from a being of nature into a spiritual being. The coercive state is a state which educates its citizens in preparation for a state ruled

[3] Cf. Hitler's speech of Jan. 30, 1942.

by the insight of everyone of its citizens (*ein Reich aus der Einsicht aller*)." Thus political freedom is the exact opposite of Fichte's own earlier Jacobinism; it is a moral quality which cannot be attained by the average individual at the present stage of mankind.

If there were any reason to believe the theoretical statements of National Socialism, one might find a great similarity between their principles and those of Fichte. National Socialism subordinates the interests of the individual to those of the state. It, too, believes that every citizen must be brought to the point where he can see in the dictates of the state authorities the expression of his own free will. The radical difference is almost too obvious to be indicated explicitly. Fichte's coercion is devised only as a legal, educative instrument to promote cultural achievements of the people, and it is a temporary substitute for a deficient moral conscience, a substitute based on intelligible humanitarian principles. Quite apart from the brutal form coercion assumes inside and outside of the German national boundaries—a form which Fichte would have abhorred as a crime against humanity—National-Socialist coercion is a device for controlling those who have no understanding of the concept of "blood and soil," a principle so obscure that it requires the constant interpretation of the national high-priest and his "intuition." This means, of course, that coercion must remain a permanent institution, and cannot possibly produce anything except stupid and cowardly submission to the dictates of a tyrant lacking the most fundamental respect for human lives and humanitarian values.

The authorities of Fichte's state may exercise coercion only if they are willing to demonstrate their right to do so before the people, and when they exercise it as a means of educating their people politically and morally so that they can finally take a more active part in the government of the state. The aim of coercion is education to a freedom that would make coercion unnecessary.[4] In his earlier period, Fichte left education entirely in the hands of the parents, in order to preserve the children from becoming submissive tools of the privileged classes. Later, he assigned part of the task of education to societies such as the Free-Masons,[5] and finally to the state. The educational program which Fichte outlines in the *Reden an die deutsche Nation* is based on Pestalozzi's ideas, and is almost military in its discipline and its emphasis on physical training. The aim, however, is to educate independent moral characters, moti-

[4] *Die Staatslehre*, 2. Abschnitt. [5] *Philosophie der Maurerei.*

vated by self-respect and respect for others, and not by fear of punishment and hope of reward. The teachers must possess the highest intellectual and moral qualities; for they have the responsibility not only for the advancement of knowledge but also for that of moral freedom of the individual, of the state, and, indirectly, of all mankind. In spite of some statements made during the troubled years of national disgrace and the Wars of Liberation, Fichte never challenges the absolute validity of humanitarian values, and even his nationalism is closely connected with the idea of a better mankind. One must be a good patriot to be a good cosmopolite; one must be a good citizen to be a good Christian—such is his maxim.

National-Socialist education, too, entrusts the whole of education to the state; it, too, emphasizes discipline, physical strength, and militant virtues. It pretends to educate men of unbending character. Yet here the analogy with Fichte's educational aims comes to an end. Indoctrination with party principles is not education to freedom, but enslavement and mechanization of the mind. Submission to a rigid discipline which allows no question as to the end of one's action is not manliness but cowardice; it is not self-respect but abjection. Respect is confined strictly to the Aryan race, and specifically to the hierarchy of party and state; respect for all others, even for one's nearest relatives, is systematically undermined. Humanitarian values and Christian virtues, which Fichte regarded as the highest possession of man, are vilified as incompatible with the honor of a true Aryan.

At first reading of some of Fichte's most patriotic productions, one might receive the impression that, in spite of his numerous attacks upon the absolute régime, he was an absolutist himself. The validity of this impression cannot be denied; yet Fichte's absolutism is as republican in these writings as was the liberalism of his Jacobin period. He rejects equally an absolute democracy and an absolute monarchy, one because of its *laissez-aller* liberalism tending toward pacifism at any price,[6] the other because of the danger of irresponsible administration of the state and selfish foreign politics. According to *Grundlagen des Naturrechts*, the ideal government would be elected by the people or appointed by the "wise men." Its officials should be chosen from the educated class because they alone combine the ability to rule with a sense of responsibility. The power of

[6] *Die Staatslehre*, 2. Abschnitt.

the state is centered in the executive. His power, however, is checked by a body of intelligent and incorruptible men, the ephors, who have an absolute veto power over all his acts, and by the people themselves, who have the right to discharge the government or to rebel against it. Even in the more conservative *System der Rechtslehre,* in which the ephors are omitted, the people must be kept informed about all actions of the executive, who is bound by a constitution. This constitution is to guarantee the equality of all citizens, a common education, and appointment to state offices according to ability.[7]

The republican principle may be obscured by the immediate aim of establishing a strong national community, a desire which grew out of the emergency of the Napoleonic era. Yet Fichte never failed to emphasize that the remote purpose of the state is, and must be, the freedom of the people to govern their own state with full responsibility. All coercion must be part of an education toward this aim of freedom. The same principles of moral responsibility must govern international relations. Fichte is a strong advocate of a world court and a league of nations. His nationalism derives its strength from the vision of a cosmopolitan order in which each nation must preserve its own strong national character and combine self-respect with respect for other nations.

Like Fichte, the National-Socialist state concentrates all power in one executive. But he is not bound by any constitution, there is no veto power, no expression of the popular will, no equality except the equality of the Aryans in being exploited for the imperialistic aims of the ruler. There is no hope for a future release from suppression; the aim of education is to produce the mentality of slaves and cowardly brutes. The same principle prevails, in even greater ruthlessness, in the relation to other nations, who are to be subjected, both economically and politically, to the rule of one without any respect for their own national character and interests.

One must keep this fundamental difference in mind when judging the *Reden an die deutsche Nation,* in which Fichte attributes everything good to the German people and everything bad to all other nations. Germany has the true philosophy, the true organic state, the belief in the perfectibility of mankind, whereas the other nations are more or less realistic and utilitarian in their conception of life, they know only their own immediate interests, which are pro-

[7] *Aus dem Entwurfe zu einer politischen Schrift im Frühlinge 1813.*

tected by an artificial and dead state-machine. One may explain such extreme statements as products of a war psychology created by the presence of any army of occupation. What counts more, however, is the fact that Fichte does not give a picture of what the German people really are, but what they should become in the future. It is his desire that they use their present crisis and their misery to reform their own individual and political life, to free themselves from all external bondage, and to *become* the elect people in their striving for the realization of a spiritual community of man. The very fact that Germany as a state was still in chaos gave him the hope that she might inaugurate a moral political order. Thus even the most fervently nationalistic of Fichte's works is not a prophecy of German racial preëminence, but a challenge to take the lead in responsible world-citizenship. Its spirit is diametrically opposed to that of National Socialism.

Fichte has been proclaimed a national hero, a prophet of Pan-Germanism, and blamed as an advocate of Machiavellian a-moral politics and a champion of tyrannical power of the state over the individual. On the other hand, he has won praise as a republican, a socialist, an advocate of a league of nations. He is quoted by the National Socialists in support of their supernationalism, and is worshipped as a forerunner of Marxism by the Bolsheviks.[8] Every great idea has its good and its bad effect. That is human tragedy. Perhaps the greatest idealists of history have caused the most misery in this world. They should, however, not be held responsible for those misinterpretations and misapplications which have their origin in the materialistic selfishness of a political group or constellation that would find its severest condemnation in those works by which it may have been influenced. If one discounts the radical extremes of Fichte's state socialism, the conscientious application of his republican, cosmopolitan, and moral ideals to the world of today would be a great service to mankind. Instead of finding in Fichte another proof for an incorrigibly warlike German mentality, one should rather emphasize the undeniable fact that National Socialism betrays the best German tradition and debases the German character.

[8] For further detail, see H. C. Engelbrecht, *Johann Gottlieb Fichte; A Study of His Political Writings with Special Reference to His Nationalism* (Columbia University Press, 1933), pp. 9 ff and 160 ff.

Pressure Groups. In recent political literature, pressure groups have frequently been condemned as a deleterious element in American government. One scholar in the field of political parties writes: "In the economy of democratic government the pressure group is definitely a parasite on the wastage of power exercised by the sovereign majority."[1] Another scholar uses the following harsh language: "There exist socially created constraints which emanate from less sanctioned or less responsible sources, informal and opportunistic in their operation; they fluctuate incessantly in intensity and direction. These constraints may be called social pressures. . . . In R. E. Park's comment: 'The pressure group is not an army which seeks to win battles by frontal attacks on hostile positions; it is, rather, a body of sharp-shooters which pick off its enemies one by one.' "[2] Another student of politics, in a denunciation of pressure groups, says: "It is a testimonial to the faith, the tenacity, or the credulity of the American people that after 150 years they still cling to the forms—without the substance—of democratic government. Since the founding of the Republic the democratic process has been perverted to a greater or less degree by cunning and powerful minorities bent on serving their own interests. The ideal of rule by the majority for the good of the many has been illusory from the start."[3] Mr. Justice Hugo L. Black, when a senator from Alabama, in indictment of lobby and pressure politics, declared: "Contrary to tradition, against the public morals, and hostile to good government, the lobby has reached such a position that it threatens government itself. Its size, its power, it capacity for evil, its greed, trickery, deception, and fraud condemn it to the death it deserves."[4] The League of Women Voters, likewise accepting the view that pressure groups are evil and therefore to be shunned, announced in a recent manual: "The League of Women Voters cannot be characterized as a pressure group, unless it be as a pressure group for promoting an interest in government!"[5]

It is a matter of significance that almost every denunciation of pressure groups fails to include a definition and classification of the institution which is condemned. This failure to define the term under discussion seems to be based on the assumption that all pressure groups are inimical to the public welfare and seems to preclude the possibility of the existence of any

[1] E. E. Schattschneider, *Party Government* (New York, 1942), p. 190.

[2] R. M. MacIver, "Pressures, Social," in the *Encyclopedia of the Social Sciences* (New York, 1934), Vol. 12, pp. 344–345.

[3] Kenneth G. Crawford, *The Pressure Boys* (New York, 1939), p. 38.

[4] *Cong. Rec.*, 74th Cong., 1st Sess., Vol. 79, Pt. 12 (Aug. 6–17, 1935), p. 12770.

[5] *The Program Explained* (National League of Women Voters, 1940), p. vi. See also Marguerite Wells, *A Portrait of the League of Women Voters* (National League of Women Voters, 1940), p. 14.

agencies which logically should be classed as pressure groups but which might also be viewed as beneficial elements in the democratic process. In the interest of scientific method, it should not be too much to ask that all academic discussion of pressure groups and lobbying be preceded by a definition and classification of the terms. What, then, is a pressure group? A pressure group is a non-partisan organization of a segment of the people formed to exert influence upon the legislature, the executive, or other governmental agency through public opinion for the enactment or the rejection of certain legislation, or for the adoption, modification, or discontinuance of a public policy. A pressure group is non-partisan; that is, it is not a political party, nor part of a political party. Nevertheless a pressure group has been known to exert influence at the polls by promoting the election or the defeat of certain candidates pledged to support or obstruct various public policies. If a pressure group offers candidates of its own at the polls, it becomes a political party. A pressure group may be large or small. It may represent rural or urban interests: it may be local, sectional, or national in scope. The objective sought may be merely the benefit of the particular group, as the enactment of the Soldiers' Bonus Bill sponsored in 1924 by the American Legion.

The objective may be entirely outside the particular interest of the group, such as the bitterly contested Aid to Dependent Children Bill passed by the Illinois General Assembly in 1941 under pressure of the League of Women Voters, the American Legion, and several other organizations. Better government may be the end sought, as exemplified by the number of civil service bills passed by state legislatures in the last decade under the urge of various groups, particularly the League of Women Voters. Whether the motive be private or public interest, a group seeking legislation or opposing legislation by the leverage of public opinion is a pressure group. The objective view toward pressure groups is entertained by a growing number of scholars. Among them, a leading authority, Peter H. Odegard, says: "It is through such organizations that the ordinary citizen finds his true representation. Public opinion in any other sense than organized group opinion is pretty much a phantom."[6] Pendleton Herring, in a pioneer study in this field, declares: "They represent a healthy democratic development. They rose in answer to certain needs. They have been forced to take the political structure as they found it. Entirely extra-legal and non-constitutional, they have been maligned and misunderstood. They are part of our representative system. The groups must be understood and their place in government allotted, if not by actual legislation, then by general public realization of their significance."[7]

[6] Peter H. Odegard, *The American Public Mind* (New York, 1930), p. 168.

[7] Pendleton Herring, *Group Representation Before Congress* (Baltimore, 1929), p. 268.

Pressure groups are but one means of formulating public sentiment. Political parties, newspapers, public opinion polls, the radio, public forums, debates, and lectures—all contribute to the molding of public opinion as an instrument for political action. It is futile to brand any one of these organs of public opinion as inherently evil. None of them is fundamentally bad, in spite of the invective that has assailed each of them. The test of their beneficial or evil characters must be made on the basis of their objectives and procedures, rather than on the basis of their existence in a democratic *milieu*. Indeed, in the evolution of the democratic process they have become one of the means of crystallizing public opinion and focusing this opinion upon the government. Inasmuch as the government in a democracy must rest upon the decision of the majority of the people, pragmatic agencies for the formulation and direction of public opinion are to be welcomed rather than discouraged.

Probably the least understood of the methods of formulating public opinion is the pressure group. Certainly its legitimacy is most frequently assailed. The political party has come to be recognized as an integral and necessary part of the machinery of democracy. Yet in the early days of the Republic the party was an outcast, and even President Washington flayed parties in his Farewell Address.[8] Until recent years, the party has been maligned as corrupt, as under the control of bosses and political machines, and as characterized by stuffed ballot-boxes and stolen elections. All this has been true, but it does not stamp the party as a vicious agency of government. Corruption may creep into any system, even into the halls of Congress or perchance the White House itself. Today the pressure group stands in the same position of ill repute as did the political party in the early years of the nation. It has become, however, a necessary part of the democratic machinery, and is to be considered as a healthy accompaniment of the two-party system.

The Political Party. Pressure groups are to be distinguished from political parties. The party, under our American system, is an organized unit seeking control of the government through the peaceful means of elections. Pressure groups, defined above as non-partisan organizations, seek to influence either or both political parties. But they remain outside of the party structure. Some such groups organize for a particular purpose and then dissolve when their objective has been reached, as did the League to Enforce Peace. This was organized in 1915 by William Howard Taft and others in order to create public opinion for a world league.[9] Its propaganda campaign practically ended with the drafting of the Covenant of the

[8] *Annals of the Congress of the United States*, 4th Cong., 2nd Sess. (1796–1797), Vol. 6, p. 2874.

[9] Cf. *Development of the League of Nations Idea: Documents and Correspondence of Theodore Marburg* (New York, 1932), Vol. II, pp. 713–717.

League of Nations, albeit this was much too soon to accomplish the ratification of the Covenant. Other pressure groups are permanent organizations which create popular demands for particular bills affecting their interests, such as the Chamber of Commerce of the United States, the American Legion, and the League of Women Voters. Many of the established women's organizations are continually interested in legislation affecting women, children, or the home. The General Federation of Women's Clubs, the American Association of University Women, the Council of Women for Home Missions, the National Council of Jewish Women, and the National Congress of Parents and Teachers are some organizations of this character.

Much has been said in deprecation of the pressure group not entering the political arena and waging an open fight as a third or fourth party. Third parties arose with considerable frequency during the closing decades of the last century. This was the method adopted by the turbulent West to secure liberal, or even radical, legislation in Congress. But it was a slow, uncertain, and abortive procedure. If the new party polled a strong minority vote, a major party frequently adopted its most popular plank, or adopted it to such a degree as to destroy the third party following.[10] Hence new parties collapsed almost as suddenly as they appeared. After a series of such experiments, leaders of new parties perceived the advantage of pressure groups. Thus they could make use of the strength and organization of the major parties in order to advance their programs without the prodigious labor, expense, and continual failures of the independent party.[11]

The advantage of the latter system is at once apparent. Reformers seeking remedial legislation were not bound by any party line, but could enlist support from the ranks of either or both parties. Thus the Anti-Saloon League secured commitments from the candidates of both parties. The Prohibition party had one of the most progressive of the party platforms in the late nineteenth century. But its emphasis upon protection of labor, and upon anti-trust laws, was adopted by the other parties.[11a] This contin-

[10] Fred E. Haynes, *Third Party Movements Since the Civil War* (Iowa City, 1916), pp. 1–6.

[11] Professor Odegard discusses the hazards involved in creating a new party. See *American Politics; A Study in Political Dynamics* (New York, 1938), pp. 790–794.

[11a] Compare the party platform of the Prohibition party in 1884 with the platform of the Democratic party in 1888. Art. 6 of the former declared against prison labor and cheap immigrant labor; the Democratic platform of 1888 devoted several paragraphs to the protection and betterment of labor. The Anti-Monopoly party of 1884 devoted nearly its entire platform to a denunciation of monopolies, while the Democratic and Republican platforms of 1888 opposed the unbridled expansion of the corporations. Kirk H. Porter (ed.), *National Party Platforms* (New York, 1924).

ual undermining of progressive measures of the third party, in addition to the difficulty of tearing voters away from the Grand Old Party at national elections, doomed such experiments to defeat. What the temperance people failed to achieve through a third party, they won by use of pressure. This is confirmed by the fact that, although the Eighteenth Amendment was adopted as a war measure, more than two-thirds of the states had already accepted prohibition, and largely because of pressure by the Anti-Saloon League.[12]

Pressure groups, of course, were not unknown in the nineteenth century. The most outstanding example in this period was Frances Willard and her legion of women known as the National Woman's Christian Temperance Union. They pressed legislatures in every state of the nation for laws on suffrage, temperance, and the protection of women. The suffrage associations, following the brilliant example of Miss Willard, adopted the same system about the beginning of the century. Even though women had not yet received the franchise, which is the very essence of pressure-power, they were able to secure sufficient votes by proxy to lend impetus and force to their pressure campaigns. One is inclined to say that it was the women who made popular the use of the pressure group. Their success in creating public opinion with which they wielded pressure upon legislators and administrators became a pattern for emulation. Henceforth the interest in third parties waned.

The Lobby. Pressure groups are to be distinguished likewise from the lobby. "Pressure" by a pressure group results from the organization of public opinion directed against some organ of government. The "lobby" is the point of attack upon one or more representatives or other officials by persons or interests without necessarily any regard to organized public opinion. The lobby is the direct effort to influence legislators by personal contact. It is difficult to find a writer who defines "lobby" apart from pressure groups. Some scholars adopt the inadequate definition laid down by Congress at the time of its "Lobby Investigation" in 1935, namely: "One who receives money for attempting to influence a member of Congress."[13] There are, however, two types of lobby: one that represents certain financial interests, as the sugar industries or the fruit-growers of California. The other kind of lobby represents a pressure group without a

[12] Prior to the Eighteenth Amendment, according to the statistics of the Anti-Saloon League, prohibition was in force in 90 per cent of all the townships and rural precincts of the nation, in 75 per cent of all the villages, and in 85 per cent of all the counties. Seventy per cent of the entire population of the nation lived in legislated-dry areas, and more than 95 per cent of the entire area of the nation was legally prohibition territory. *The Anti-Saloon League Year Book, 1922* (Westerville, Ohio, 1923), p. 5.

[13] See H. R. No. 6770. This bill was referred to the Judiciary Committee of the 74th Cong., 1st Sess. (1935), but was never reported back to the House.

financial interest. Neither type of lobbying is essentially bad. Certainly industry is entitled to a hearing before legislation affecting it is passed. The reprehensible part of the process is the instances of bribery, intimidation, and undue influence. Also to be condemned is the unsocial policy sometimes pursued. There is an obligation incumbent upon every citizen that the welfare of the many shall not be sacrificed to the advantage of the few.

Lobbyists may be paid or not paid. Some of the corporations pay high salaries to their lobbyists, while on the other hand much effective lobbying is carried on by zealous persons without remuneration. The Chamber of Commerce of the United States, one of the most powerful pressure groups, has long maintained a well paid representative at the capital.

Three essential differences mark the distinction between a pressure group and the lobby. First, the lobby is one of the methods employed by a pressure group. It is the point of contact between the pressure organization and the legislator or other government official. Second, the lobby is the formal method of representation employed by a pressure group to the members of the legislature or governmental agency. Third, the lobby merely makes use of, but does not create, the backing it possesses, whether financial or public opinion. Of course, a corporation may attempt to win public approval for a particular policy, as the utility companies have done in a number of states.[14] As a rule, however, corporations operate through political parties and the lobby, independently of public opinion. Also there are pressure groups which maintain no lobby, but depend entirely upon influencing their legislators through a mass of telegrams and letters. Thus a lobby may or may not have a pressure group supporting it; and a pressure group may or may not have a lobbyist representing it.

Propaganda. As has been pointed out, pressure groups frequently make use of the lobby as an instrument for influencing legislatures or governmental agencies. Likewise, pressure groups use propaganda as a means of influencing public opinion. But, like lobbyists, not all propagandists represent a pressure group. Propaganda has been defined as the manipulation of symbols for the influencing of public opinion. This is a broad interpretation which might well include teachers and lecturers. As propaganda is not education, the definition should be somewhat restricted. Therefore, propaganda is the manipulation of symbols for influencing public opinion to a particular point of view. Professor Childs defines propaganda as the propagation of ideas, principles, and doctrine, or to advance, further, promote, or disseminate ideas.[15]

[14] James C. Bonbright, *Public Utilities and the National Power Policies* (New York, 1940), pp. 10–11, 71–72.

[15] Harwood L. Childs, *An Introduction to Public Opinion* (New York, 1940), p. 75; also Leonard W. Doob, *Propaganda; Its Psychology and Technique* (New York, 1935), pp. 71–77; Harold D. Lasswell, *Psychopathology and Politics* (Chicago,

Mr. William J. Cameron, of the Ford Sunday Evening Hour, is a good propagandist for the business interests of the nation. In his ten-minute chats, he has endeavored to present the service business has rendered society. He is creating good will for business, but he does not represent a pressure group. Father Coughlin was an excellent propagandist. Although a churchman, he did not in the beginning represent a pressure organization. His personal following came from the ranks of Catholics and Protestants alike. It is generally conceded that never in our history has the voice of a single person brought such a deluge of letters and telegrams upon congressmen as did Father Coughlin's opposition to American adherence to the World Court in 1935.[16] Over 200,000 telegrams were sent to senators during the debates, and these were largely inspired by the radio priest. Another influential propagandist was Charles A. Lindbergh. Before he joined the America First Committee in 1941, he spoke as an independent agent for the cause of an isolated America, and at that time probably did not represent any pressure group.

Propaganda, however, as used by a pressure group for the influencing of public opinion, entails such mediums as the newspaper, radio talks, mass meetings, circulation of pamphlets, booklets, telephone calls, and even teas and public receptions. There is nothing inherently evil in propaganda. Unethical tactics may be used. Propaganda which tells no untruths, makes no falsifications, but which is honest in presenting argument, is a wholesome, democratic procedure. It was charged in the newspapers that the America First Committee made falsifications in its propaganda, as in petitions sent to members of Congress which frequently bore the signatures of petitioners who later denied that they had given their assent to the petitions.[17] Such procedure, of course, is to be condemned, as is also subversive tactics.

Therefore, propaganda which is ethical is a legitimate instrument of the pressure group for formulating public opinion. Propaganda, moreover, as a means of informing the public upon particular issues, or arousing interest in debates upon current problems and governmental policies, is to be commended. Also, it is a legitimate procedure of the private citizen, as in the above illustrations. Propaganda is nothing especially new, although its popularity as an instrument of public policy is notable only in the last two decades. It has in fact been an American custom since the days when

1930), pp. 188–190, and *Democracy Through Public Opinion* (Menasha, Wis., 1941), pp. 36–44.

[16] *New York Times* (Jan. 30, 1935), p. 1, col. 8. The National Union for Social Justice was incorporated by Father Coughlin in December, 1934; the tabloid paper called *Social Justice*, now under indictment before a federal grand jury for its subversive character, was established by him in March, 1936.

[17] See articles by Frank Smothers in the *Chicago Daily News*, Jan. 18, 20, 21, 22, Feb. 14, 15, 1941.

Benjamin Franklin sought and won the alliance of the French nation during the gloomiest period of the Revolution. This was not alone the result of brilliant diplomacy; it was also clever propaganda. Likewise, the *Federalist* papers were admittedly propaganda for the adoption of the federal Constitution. Some scholars have banted propaganda about as an unscrupulous method of unscrupulous people seeking an unworthy goal. This it may be, but propaganda is not inherently unscrupulous.

Education. Much of propaganda is education, yet the two cannot be spoken of synonymously. Education is a systematic training of the mind through study and instruction. It presupposes unbiased teaching, with a presentation of facts on both sides of debatable issues. Although propaganda is the chief instrument of pressure groups for molding public opinion, some groups also use education. The local chapters of the Committee to Defend America, while freely making use of propaganda, and even so designating it, also sponsored a truly remarkable educational program. For a period of nine months prior to Pearl Harbor, these local chapters held weekly lecture-forums, with an expert in some related field of public affairs giving the lecture. These speakers, often drawn from the faculties of universities, were told to exercise free speech, and to say whatever they liked. The program was designed to give the public in the community the advantage of expert comment on topics dealing with the crisis preceding the Axis attack upon us.

The League of Women Voters has utilized the instruments both of propaganda and of education. In the field of education, it has established study classes on major issues of the day which approximate the level of college work. When studying the question of the World Court several years ago, it turned for its information to such scholars as John Bassett Moore, Manley O. Hudson, Philip C. Jessup, and Quincy Wright. When the revision of the Neutrality Act of 1939 became a burning issue in Congress, the League organized study groups on this vital question, again drawing on outstanding scholars in the field for their knowledge. Not until its own organization has thus carefully studied an issue does the League place it upon the agenda for legislative action. After its policy has finally been adopted, as in the case of the World Court, and Neutrality questions, the League uses the tactics of propaganda, pressure, and lobbying to force governmental action. There is no other pressure group working as a national organization which so carefully educates its own constituency upon a measure before seeking public support of that measure.

Education, then, differs from propaganda. It uses a different technique, and is objective in purpose. Nevertheless it may also be used by pressure groups as an instrument for informing the public upon the facts of a given issue. It should be pointed out, however, that the method of education is rarely used by pressure groups, as it is too long-drawn-out a process and too cumbersome.

Pressure Groups as Part of the American System. The pressure group, while known to European democracies, is particularly an American institution. This is the result of a rigid constitution, and of the two-party system. The goverment is elected at stated intervals. But in a rapidly moving world the electorate cannot wait for the election cycle to swing round before informing its representatives of a shift in its sentiments. Senators elected in 1938 favoring an isolationist policy were in many instances out of step with their constituency by 1940. Burton K. Wheeler, although winning the election in Montana in 1938 by a large majority, probably could not have been elected on the same platform in 1940.[18] As new issues develop, the people, now alive and sensitive to the shifting times, want to be heard. The British system is in this respect somewhat more elastic. A government which does not keep pace with public opinion may be quickly deposed; and the relationship between people and government is more fluid.

Several political parties, furthermore, cannot possibly represent the public sentiment, even within their own ranks. Of course it would be fantastic to presume that the opinion of the nation can be classified under the leadership of two or three national parties. Thus there are many currents of public opinion upon many issues which may criss-cross party lines totally unrepresented. Major parties of necessity build platforms which will appeal to the great mass of voters, and hence they are cautious not to arouse antagonism. Therefore there can be little liberal leadership in the two dominant political parties. New ideas and reform measures cannot be adopted by them until pressure groups or independent parties have secured a degree of public support. Practically all of our liberal legislation of the past half-century has been introduced and fostered either by a minor party or by a pressure group. The eight-hour day, the income tax, workmen's compensation, sanitary factories, anti-trust laws, social security benefits, minimum wage laws, maximum hours per week, and woman suffrage have all been initiated and fostered first by a third party or a pressure organization.[19] The New Deal of President Roosevelt, the New Freedom of Woodrow Wilson, and the Square Deal of Theodore Roosevelt were not brought about by party liberalism, but came as the result of a mandate each leader felt he had from the people. These men of wide vision and dramatic imagination garnered the liberalism of many unsuccessful pressure groups into their own policy. The fact that such a broad political program was not in the party platform brought in each instance a storm of opposition from the conservative wing. These three leaders transcended party planks to sponsor measures long demanded in some form by the masses of the people. But only a courageous man and one in close touch with public opinion would dare so to defy the party creed.

[18] See the *Chicago Times*, Sept. 11, 1941.

[19] Pendleton Herring, *The Politics of Democracy* (New York, 1940), pp. 179–186.

Parties, moreover, must so frame their tenets as to appeal to the New England industrialists, the Southern cotton-growers, the Western agriculturalists, and the Pacific Coast fruit-growers. Yet these areas all have special problems deserving recognition. Within these sections are various group interests ranging from welfare work to particularized special interest associations such as the Townsend pension plan, or the "ham and egg" movement in California. Thus there is stratification of group interest between the sections of the country and within the sections which cannot be represented by several political parties. This diversity of interests was found in the pre-war France and the pre-war Germany in the multi-party system. Such a procedure, however, has seldom permitted democracy to function smoothly, and when the stress of crisis came, this system in each of these countries crumbled easily.

Thus so far as the mechanics of our democracy go, the two-party system is sound and workable. It is not, however, readily responsive to shifting public opinion, nor widely representative of the cross-section of group interests. It is necessary, therefore, to have pressure groups as an accompaniment to the party system. Under the democratic process, legislatures must ever be responsive to the general will of the people. On the other hand, it will be admitted that the pressure groups introduce an element of irresponsibility into our political system that may be positively dangerous to representative government.

The necessity of pressure groups bespeaks a change in democracy itself. In the early days of the Republic, only about forty per cent of the people in New England could sign their names, and New England possessed the most progressive educational system in the land. Obviously, therefore, the mass of people were little interested in political issues. Furthermore, it was an agricultural society, so that political problems arose slowly and resolved themselves even more slowly. Issues remained in the platforms from election to election. But the situation in the twentieth century is entirely different. The agricultural society has been replaced by a highly industrialized life, and the present communication system has the speed of electricity. Within twenty-four hours after Germany marched into Poland, every village in America heard the news and was discussing its implications for this country. The radio and the widespread network of newspapers has brought world news almost instantaneously to every home in the land. Radio commentators have done much to dramatize the news making the masses aware of world affairs. As a result, there has been a quickening of the people's interest in government and politics.

Hence the representative type of government set up by the founding fathers has been somewhat outmoded by changing civilization. Public opinion in Washington's day included only a part of the people—the rest were too illiterate even to understand the issues. But today the great mass of the people are vitally interested in the processes of government. The

people at long last have been educated for democracy, as Jefferson so wisely counselled they should be. Now they want to exercise some measure of direct control in governmental policy and procedure. Unorganized public opinion is ephemeral. To be effective, it must be integrated and organized. In recent years, the public opinion polls have been effective in reflecting public sentiment upon a variety of issues. Pressure groups, indirectly, often influence these polls. But the polls lack cohesion and force to promote a special policy.

Like good propaganda and bad propaganda, there are also good and bad pressure groups. A good pressure group presents its case to the public with candor and facts. It must be honest in its statements and ethical in its methods. In exerting pressure upon the legislators, it must be wholly upon the basis of the public opinion they represent. It is assumed, however, that this mobilized public opinion is based upon the voters and not on aliens, minors, and other groups denied the ballot. Bribes, threats, champagne parties, social influence, and other such means are to be decried as unethical and dishonest; likewise all subversive groups. An awakened and alert public must be relied upon for balance and control of these groups. The people will support those issues which they deem for the public good, and will be unmoved by the fantastic schemes of fanatics and radicals such as the "ham and egg" advocates. However, it must be admitted that a political charlatan may temporarily sway large groups of people, as did Dr. Francis Townsend and Huey Long. Each had his day, though short. But as the prairie lawyer pointedly expressed it, "you can't fool all of the people all of the time." Of course, the public must be constantly vigilant against the stampede of any irrational movements or irresponsible leaders.

A most outstanding pressure group of recent years is the League of Women Voters. Its educational program has been unsurpassed by that of any other organization. The timing of the transfer of an issue from the educational forum to the legislative has been most skillfully achieved. Accordingly, its success has brought it much prestige among legislators and the public at large. As a case study in pressure groups, the League would take high rank. It has set a pattern of high ethics, good public policies, and effective legislation.

Pressure groups, it may be concluded, are a part of our political system. They permit a new kind of participation of the people in legislation and administration. They give the people a continuing interest in government, not only at election time but between elections. They mold public opinion into a dynamic force for the shaping of governmental policy. Pressure groups are the modern expression of democracy by the people and for the people.

MARY EARHART DILLON.

Northwestern University.

Organization of the Executive Branch of the National Government of the United States: Changes between November 15, 1941, and March 31, 1942.[1] As in previous lists, mention is here confined generally to units specifically authorized by law or established by the President by executive order or reorganization plans under general authority vested in him. Changes in units created by heads of departments or independent establishments are excluded unless of major importance.

Authority for General Reorganization. Public Law 354, 77th Congress, approved December 18, 1941, authorizes the President to make redistribution of functions among executive agencies; the authority is limited to "matters relating to the conduct of the present war" and excludes any part of the General Accounting Office and its functions. This act is to be in force during the continuance of the present war and for six months thereafter, or until such earlier time as Congress by concurrent resolution or the President may designate. At the termination of the act all agencies will exercise the same functions as heretofore or as hereafter by law may be provided, any authorization of the President to the contrary notwithstanding.

Anthracite Coal Commission. Created by Public Law 355, 77th Congress, approved December 19, 1941, to determine the facts relating to and ways and means of improving economic conditions in the anthracite coal producing regions. The Commission consists of two members of the Senate to be appointed by the President of the Senate, two members of the House of Representatives to be appointed by the Speaker, and three persons to be appointed by the President (one each from the Bureau of Mines, the National Resources Planning Board, and the Interstate Commerce Commission); all members serve without additional compensation. The Commission will report to the President and Congress, and will cease to exist when its final report is submitted.

Army Reorganization. Made by Executive Order 9082 of February 28, 1942, effective March 9. The order provides for the following units under the Chief of Staff: (1) a ground force, under a Commanding General Army Ground Forces to which are transferred the coast artillery (except duties pertaining to procurement, storage, and issue), infantry, cavalry, and field artillery corps; (2) an air force, under a Commanding General Army Air Forces, to which are transferred the duties of the Commanding General, General Headquarters Air Force and of the Chief of the Air Corps; (3) a service of supply, under a Commanding General Service of Supply, to which are transferred the duties of the Chief of Coast Artillery relating to procurement, storage, and issue; (4) such overseas departments, task forces, base commands, defense commands, and other commands as the

[1] Articles of this character appearing in the REVIEW prior to 1940 are listed on page 1044 of the issue for December, 1939. Later articles have appeared in the issues for June and October, 1940; February, June, and October, 1941; and February, 1942.

Secretary of War may find necessary. This order is to remain in effect during the war and for six months thereafter.

Army Specialist Corps. Created by Executive Order 9078 of February 26, 1942, as a part of the War Department for the purpose of obtaining the temporary services of qualified civilian employees for duties involving technical qualifications. The order is to remain in force during the continuance of the war and for six months thereafter.

Board of Economic Warfare. The name of the Economic Defense Board, created by Executive Order 8839 of July 30, 1941, is changed to Board of Economic Warfare by Executive Order 8982 of December 17, 1941.

Bureau of Customs, Treasury Department. By Executive Order 9083 of February 28, 1942, effective March 1, the functions relating to award of numbers to undocumented vessels are transferred from collectors of customs to the Commandant of the Coast Guard.

Bureau of Marine Inspection and Navigation. By Executive Order 9083 of February 28, 1942, effective March 1, the functions of the Bureau of Marine Inspection and Navigation of the Department of Commerce are divided between the Coast Guard (now under the Secretary of the Navy) and the Bureau of Customs of the Treasury Department.

Commission to Investigate Japanese Attack on Hawaii. Created by Executive Order 8983 of December 18, 1941, to make inquiry "whether any derelictions of duty or errors of judgment on the part of United States Army or Navy personnel contributed to such successes as were achieved by the enemy" on December 7, 1941. The Commission consisted of Associate Justice Owen J. Roberts; Admiral William H. Standley, retired; Rear Admiral Joseph M. Reeves, retired; Major General Frank R. McCoy, retired; and Brigadier General Joseph T. McNarney. Its report was published as Senate Document 159, 77th Congress, 2d session.

Department of Agriculture. By Memorandum 960 of December 13, 1941, effective December 15, 1941, the Secretary of Agriculture established eight group administrative offices through which the line agencies will be coördinated. As regards the units in each group, each administrator will direct and supervise activities, utilize personnel, funds, property, and services, and consolidate or integrate their administrative, technical, staff, and other services. The existing units assigned to three of the administrators are as follows:

Agricultural Adjustment and Conservation Administrator
- Agricultural Adjustment Administration
- Soil Conservation Service
- Federal Crop Insurance Corporation
- Sugar Division

Agricultural Marketing Administrator
- Agricultural Marketing Service (except Division of Agricultural Statistics, which is placed under the Chief of the Bureau of Agricul-

tural Economics, who is also designated as Associate Chief of the Agricultural Marketing Service)
Commodity Exchange Administration
Surplus Marketing Administration
Agricultural Research Administrator
Bureau of Animal Industry
Bureau of Dairy Industry
Bureau of Plant Industry
Bureau of Agricultural Chemistry and Engineering
Bureau of Entomology and Plant Quarantine
Bureau of Home Economics
Office of Experiment Stations
Beltsville Research Center

Each of the remaining five group administrators has only one existing agency under his direction, the head of each existing agency being also group administrator. These are as follows:

Farm Security Administration
Commodity Credit Corporation
Forest Service
Farm Credit Administration
Rural Electrification Administration

The remaining units of the department, being staff agencies, are not affected by the reorganization.

An Agricultural Defense Board is established, composed of the Agricultural Adjustment and Conservation Administrator, the Agricultural Marketing Administrator, the Agricultural Research Administrator, the Farm Security Administrator, the Rural Electrification Administrator, the Chief of the Forest Service, the President of the Commodity Credit Corporation, the Governor of the Farm Credit Administration, the Director of Agricultural Defense Relations, the Chief of the Bureau of Agricultural Economics, and the Director of Extension Work.

There is also created an Administrative Committee, consisting of the Solicitor, the Director of Personnel, and the Director of Finance, to determine the construction and application of the provisions of the memorandum.

The Agricultural Program Board and the Office of Director of Marketing are abolished.

By Executive Order 9069 of February 23, 1942, the President established three of the units listed above, namely, the Agricultural Adjustment and Conservation Administration, the Agricultural Marketing Administration, and the Agricultural Research Administration. Presumably presidential action was necessary in order to provide funds for the overhead in these units.

Emergency Court of Appeals. Created by the Emergency Price Control Act of 1942 (Public Law 421, 77th Congress), approved January 30, 1942,

to consider appeals from the rulings of the Price Administrator. It consists of three or more judges to be designated by the Chief Justice of the United States from the judges of the district courts or circuit courts of appeals. The Chief Justice may designate additional judges or revoke previous designations. The Chief Justice may divide the court into divisions of three or more members, and any such division may render judgment as the judgment of the court. The court may hold sessions at such places as it may specify. All the provisions of the act creating the court will expire on June 30, 1943; they may be terminated earlier by a proclamation of the President, or by a concurrent resolution of both houses of Congress.

Federal Board of Surveys and Maps. Abolished by Executive Order 9094 of March 10, 1942, and its functions transferred to the Director of the Bureau of the Budget.

Federal Loan Agency. All functions of the Federal Loan Agency not transferred to the National Housing Agency by Executive Order 9070 of February 24, 1942, are transferred to the Department of Commerce by Executive Order 9071 of the same date. These include the duties of the Reconstruction Finance Corporation, Electric Home and Farm Authority, R. F. C. Mortgage Company, Federal National Mortgage Association, Disaster Loan Corporation, Export-Import Bank of Washington, Defense Plant Corporation, Rubber Reserve Company, Metals Reserve Company, Defense Supplies Corporation, and War Insurance Corporation.

The Federal Loan Agency is not formally abolished, but all its duties, records, and personnel are transferred to other units.

Interdepartmental Visa Review Committee. Created by Secretary of State on November 19, 1941, to render advisory opinions on the admission of aliens. Consists of one member each from State, War, and Navy Departments, the Federal Bureau of Investigation, and the Immigration and Naturalization Service.

Joint Mexican-United States Defense Commission. Created by Executive Order 9080 of February 27, 1942, to consider broad plans for the defense of Mexico and adjacent areas in the United States. The United States members are Lieutenant General Stanley D. Embick, U. S. Army, retired, and Vice Admiral Alfred W. Johnson, U. S. Navy, retired.

Maritime Commission. By Executive Order 9083 of February 28, 1942, effective March 1, the functions of the Maritime Commission relating to training of personnel for merchant ships are transferred to the Coast Guard.

National Housing Agency. Created by Executive Order 9070 of February 24, 1942, in order to consolidate activities relating to housing. The agency is under the direction of a National Housing Administrator. The three constituent units of the new agency and the former units transferred to them are as follows:

Federal Housing Administration under a Federal Housing Commissioner
Duties of former unit transferred
Federal Housing Administration
Federal Home Loan Bank Administration under a Federal Home Loan Bank Commissioner (formerly chairman of the Federal Home Loan Bank Board)
Duties of former units transferred from former Federal Loan Agency
Federal Home Loan Bank Board
Home Owners' Loan Corporation
Federal Savings and Loan Insurance Corporation
United States Housing Corporation
Federal Public Housing Authority under a Federal Public Housing Commissioner (formerly Administrator of the United States Housing Authority)
Duties of former units transferred
United States Housing Authority
Defense Homes Corporation
Non-farm public housing from Farm Security Administration
Division of Defense Housing Coördination

The Central Housing Committee is abolished. The following offices are vacated at the expiration of 60 days and are to remain vacant as long as the order is in force: Directors and Officers of Defense Homes Corporation, the members of the Home Loan Bank Board except the chairman, the Directors of the Home Owners' Loan Corporation, and the Trustees of the Federal Savings and Loan Insurance Corporation.

National Patent Planning Commission. Created by Executive Order 8977 of December 12, 1941, to conduct a comprehensive survey of the patent system, with particular reference to the utilization of patents and expanded defense industrial facilities during normal times. The members of the Commission, who will serve without compensation, are appointed by the President.

National War Labor Board. Created in the Office for Emergency Management of the Executive Office of the President on January 12, 1942, by Executive Order 9017, for the adjustment of labor disputes which affect the prosecution of the war and which have been certified to it by the Secretary of Labor, although the Board, after consultation with the Secretary of Labor, may take jurisdiction of a dispute on its own motion. In determining a dispute, the Board may use mediation, voluntary arbitration, or arbitration under rules established by it. The Board is composed of twelve special commissioners appointed by the President; four of the members shall be representative of the public, four of the employees, and four of the employers. The President shall also appoint four alternate representatives of employees and four of employers, to serve in the absence of regular members representing these groups. The National Defense Media-

tion Board, established by Executive Order 8716 of March 19, 1941, is abolished.

Executive Order 9038 of January 24, 1942, provided for the appointment of associate members of the Board. Administrative Regulation No. 1 of the Board of January 29, 1942, provides that the chairman may assign any case to one or more associate members, who shall mediate as prescribed by the rules of the Board.

Navy Department. By Executive Order 9096 of March 12, 1942, the duties of the Commander in Chief, United States Fleet, and of the Chief of Naval Operations are devolved upon one officer, to have the title Commander in Chief, United States Fleet and Chief of Naval Operations.

Office of Alien Property Custodian. On February 12, 1942, the President by memorandum delegated to the Secretary of the Treasury control of foreign-owned property and the regulation of trading with the enemy. On March 11, 1942, by Executive Order 9095, these powers and others were delegated to the Alien Property Custodian, and the Office of Alien Property Custodian was created in the Office for Emergency Management of the Executive Office of the President.

Office of Censorship, Censorship Policy Board, and Censorship Operating Board. These three units were created by Executive Order 8985 of December 23, 1941. At the head of the Office of Censorship is a Director of Censorship, who shall cause to be censored "in his absolute discretion" all communications between the United States and any foreign country. The Censorship Policy Board will advise the Director of Censorship with respect to policy and the coördination and integration of the censorship. It consists of the Vice President, the Secretaries of the Treasury, War, and Navy, the Attorney General, the Postmaster General, the Director of the Office of Government Reports, and the Director of the Office of Facts and Figures; the Postmaster General is designated as chairman. The Censorship Operating Board will perform such duties in respect to operations as may be specified by the Director. It is to be established by the Director of Censorship, and will consist of the representatives of such agencies as the Director shall specify; each representative will be designated by the head of the agency he represents.

Office of Coördinator of Government Films. By letter of December 18, 1941, the President instructed the Director of the Office of Government Reports to act as Coördinator of Government Films for the duration of the war. His functions are to act as liaison officer of the government with private producers and distributors, to establish a clearance office through which all of the government's civilian films must clear, to plan such government motion picture production and distribution as is necessary to inform the public during the war-time crisis, and to consult with all government departments in connection with film production and distribution.

Office of Defense Transportation. Created by Executive Order 8990 of December 18, 1941, in the Office for Emergency Management of the Executive Office of the President to coördinate transportation policies, make studies of the adequacy of transportation facilities, and inform the President with respect to conditions. In the exercise of its functions, the Office of Defense Transportation is to be governed as to relative importance of deliveries required for defense by such instructions as may be issued by the Office of Production Management (later succeeded by the War Production Board) pursuant to the provision of Executive Order 8875 of August 28, 1941, relating to delegation and coördination of priority authority. Executive Order 8990 provides that in the Office of Defense Transportation there shall be a division of railway transport, of motor transport, of inland waterway transport, of coastwise and intercoastal transport, and such other operating and staff divisions as the Director may determine; the heads of the divisions mentioned are to be appointed by the Director, subject to the approval of the President. It is understood that the Transportation Division of the Advisory Commission of the Council of National Defense has been absorbed by the Office of Defense Transportation, but apparently no order to that effect has been made public.

Office of Director of Production, War Department. Created by the President January 16 to have charge of directing and expediting the production involved in the War Department's munitions program. It is under a Lieutenant General appointed to discharge these duties.

Office of Price Administration. Created as an independent establishment by the Emergency Price Control Act of 1942 (Public Law 421, 77th Congress), approved January 30, 1942, to regulate prices, rents, and market and renting practices. It is headed by an administrator appointed by the President by and with the advice and consent of the Senate. This office supersedes the former Office of Price Administration in the Office for Emergency Management, although the previous office is not specifically abolished by the statute. The President is authorized to transfer to any other agency any of the powers with respect to particular commodities conferred on the Office of Price Administration and to transfer to the Office of Price Administration any powers with respect to particular commodities relating to priorities or rationing conferred by law upon any other agency. However, certain powers may not be transferred to the Office of Price Administration, namely, any conferred by law upon the Secretary of Agriculture, and any relating to any agricultural commodities, except those relating to priorities or rationing, conferred by law upon any other agency. All powers under the act will expire on June 30, 1943; they may be terminated earlier by a proclamation of the President, or by a concurrent resolution of the two houses of Congress.

Petroleum Industry War Council. The Petroleum Industry Council for

National Defense was created by the Petroleum Coördinator for National Defense (Secretary of the Interior) on November 29, 1941, to advise the Coördinator with respect to any matter relating to the petroleum industry, to propose actions relating to coördination of the industry, and to make surveys and investigations. The Council is composed of 66 persons said to represent large and small interests, trade associations, and operating companies; it has an executive committee of 25 members. The president of the American Petroleum Institute has been elected chairman of the council and of the executive committee. On February 6, 1942, the name was changed to Petroleum Industry War Council.

State Department. Financial Division created by Departmental Order 1000 of November 24, 1941, to have responsibility in all matters of foreign policy in financial matters other than foreign funds control. Foreign Funds Control Division created by Departmental Order 1001 of November 24, 1941, to have responsibility of all foreign funds control matters. These divisions succeed the Foreign Funds and Financial Division; both are component parts of the Board of Economic Operations.

Virgin Island Homestead Projects. Transferred from the Department of the Interior to the Department of Agriculture by Public Law 372, 77th Congress. The Virgin Island Homestead Authority is abolished, and its functions are transferred to the Department of Agriculture. The Homestead Authority was established by the Federal Subsistence Homestead Corporation, which was created by order of the Secretary of the Interior of December 2, 1933, and which was transferred to the former Resettlement Administration by Executive Order 7041 of May 15, 1935.

War Insurance Corporation. Created by Reconstruction Finance Corporation on December 13, 1941, with a capital of $100,000,000 to provide reasonable protection against losses to property resulting from enemy attacks.

War Production Board. Created in the Office for Emergency Management of the Executive Office of the President by Executive Order 9024 of January 16, 1942. All the powers of the Board are vested in the chairman, who, with the advice and assistance of the members of the Board, shall exercise general direction over the war procurement and production program; shall determine the policies, plans, procedures, and methods of the several federal agencies relating to war procurement and production, including purchasing, contracting, specifications, construction, conversion, requisitioning, plant expansion and the financing thereof; shall perform the functions and exercise the authority of the Supply Priorities and Allocations Board established by Executive Order 8875 of August 28, 1941, namely, the determination of total requirements of materials and commodities needed for defense, civilian, and other purposes and the making of regulations governing allocations and priorities; and shall supervise the

Office of Production Management. All federal agencies shall comply with the policies in respect to war procurement and production as determined by the chairman. The Army and Navy Munitions Board is directed to report to the President through the chairman of the War Production Board. The Board, as originally constituted, consisted of a chairman, appointed by the President, the Secretaries of War and Navy, the Federal Loan Administrator, the Director General and the Associate Director General of the Office of Production Management, the Administrator of the Office of Price Administration, the chairman of the Board of Economic Warfare, and the special assistant to the President supervising the defense aid program. By Executive Order 9040 of January 24, 1942, the Lieutenant General in charge of War Department Production and the Director of the Labor Division of the War Production Board are made members vice the Director General and the Associate Director General of the Office of Production Management; this does not change the personnel of the board, as the new members are the persons who held the former offices in the Office of Production Management.

Executive Order 9024 abolished the Supply Priorities and Allocations Board, and Executive Order 9040 discontinued the Office of Production Management. All the functions of these two units are vested in the Chairman of the War Production Board, who may exercise his powers through such agencies and officers as he may determine. It is provided that "his decisions shall be final."

Under the authority conferred on him, the Chairman of the War Production Board, by Directive No. 1 of January 24, assigned to the Office of Price Administration authority with respect to rationing control over sales at retail or to the ultimate consumer, certain government agencies being excepted. Power conferred includes control over sale to any retailer who violates rationing regulations.

By Regulation 2 of January 26, the Director of Industry Operations is authorized to issue priority orders in place of the Director of Priorities of the Office of Production Management, and also to exercise the powers in relation to requisitioning formerly exercised by the Office of Production Management.

At the end of March, the units of the War Production Board were as follows:

Information Division
Legal Division
Progress Reporting Division
Statistics Division
Planning Board
Requirements Committee
Purchases Division

Production Division (includes Contract Distribution Division of the Office of Production Management)
Materials Division (includes Bureau of Conservation of the Office of Production Management)
Industry Operations Division
Labor Division
Civilian Supply Division

War Relocation Authority. Created in the office for Emergency Management of the Executive Office of the President by Executive Order 9102 of March 20, 1942, to arrange a program for the relocation, supervision, and maintenance of aliens removed from designated areas by the military authorities under the power conferred by Executive Order 9066 of February 19, 1942. The Authority is headed by a director appointed by the President. Within the Authority is the Relocation Work Corps, to be composed of persons removed from any areas under the orders cited. There is also within the Authority a Liaison Committee on War Relocation consisting of the Secretary of War, the Secretary of the Treasury, the Attorney General, the Secretary of Agriculture, the Secretary of Labor, the Federal Security Administrator, the Director of Civilian Defense, the Alien Property Custodian, or their deputies, and such other persons or agencies as the Director may designate. The Committee meets at the call of the Director and assists him in his duties.

War Shipping Administration. Created in the Office for Emergency Management of the Executive Office of the President by Executive Order 9054 of February 7, 1942, to direct operation of all vessels under control of the United States except combatant vessels and vessels engaged in coastwise transportation under the supervision of the Director of the Office of Defense Transportation, to allocate vessels for use by federal agencies and the governments of the United Nations, to provide marine war risk insurance as authorized by the Merchant Marine Act of 1936 (Title II, 49 Stat. 1985), to establish conditions for the receipt of priorities under Public Law 173, 77th Congress, approved July 14, 1941, to represent the United States in dealing with the shipping agencies of the nations allied with the United States, and to maintain current data on availability of shipping. All functions conferred by law on the Maritime Commission with respect to the activities mentioned are transferred to the new agency. The agency is under an administrator appointed by the President.

L. F. SCHMECKEBIER.

The Brookings Institution.

Town and City Consolidation in Connecticut. Town and city consolidation in Connecticut serves purposes similar to those of city and county consolidation. Duplicating corporate bodies and officials are eliminated, and one government provides those services that are required only in urban areas as well as those required by both rural and urban areas. In addition, by the use of separate taxing districts a method has been developed whereby the people of the entire area pay for the general services while the people in the urban area do, and the people in the rural area do not, pay for the special urban services. Thus, it is possible to bring together a farming area and a city area under one government.

Consolidation has occurred in twenty-one towns.[1] In nine, city governments have been consolidated with town governments under a city form of government. In twelve, borough governments have been consolidated with town governments—in one under a borough form, in five under a city form, and in six under a town form of government. At the time of consolidation, in general the city or borough had a relatively large population but occupied only a small area within the town; the population of the town outside the city or borough was small, while the area was large. One-half of the cities or boroughs had a population of more than 10,000, while the population of the area outside was less than 2,500 in one-half of the towns. Two to four square miles was a typical area for the borough or city, while the size of the entire town ranged from five square miles to more than forty. However, there were important exceptions to the general rule. The cities and towns of Hartford and New London were coextensive at the time of consolidation, and in New Haven the city occupied more than one-half of the land area of the town. In Greenwich, the area of the borough was small, but so was the population, relatively speaking. There were 6,000 people in the borough and 27,000 outside; this, in fact, was one of the underlying reasons for consolidation, as will be explained

[1] The names of the towns, the effective date of consolidation, the governments consolidated, and the form of government under which consolidation was accomplished (in italics) follow: 1874, New London, town and *city;* 1889, Bridgeport, town and *city;* 1893, Ansonia, town and borough, *city;* 1894, town of Derby and borough of Birmingham, *city* of Derby; 1895, Naugatuck, town and *borough;* 1896, Hartford, town and *city;* 1897, New Haven, town and *city;* 1902, Waterbury, town and *city;* 1906, New Britain, town and *city;* 1911, Bristol, town and borough, *city;* 1911, town of Orange and borough of West Haven, now *town* of West Haven; 1913, town of Norwalk and cities of Norwalk and South Norwalk, *city* of Norwalk; 1915, *town* of Winchester and borough of Winsted; 1917, town of Huntington and borough of Shelton, *city* of Shelton; 1921, Ridgefield, *town* and borough; 1922, Meriden, town and *city;* 1923, Torrington, town and borough, *city;* 1924, Middletown, town and *city;* 1932, Greenwich, *town* and borough; 1935, New Canaan, *town* and borough; 1941, Guilford, *town* and borough.

later. Finally, it should be noted that consolidation was achieved in towns of small population as well as those of large population. The town of New Haven had a population of 100,000 at the time of consolidation, and Hartford more than 60,000. But the town of Ridgefield had a population of only 2,700 and the borough of only slightly more than 1,000. Nine towns had a population of less than 10,000 at the time of consolidation. Incidentally, five of the six towns with a town form of government after consolidation are small in population.

Inasmuch as counties are not significant in Connecticut, the important powers of local government are exercised by town, city, and borough governments. The town governments exercise powers of a general nature. Before consolidation, cities and boroughs were not concerned at all with education and welfare, and these two functions were largely carried on by the town. The recording of vital statistics and of deeds and mortgages was a town function. The cities and boroughs alone usually provided the special services of fire protection, sewage disposal, refuse collection and disposal, and street lighting. Highways and health are traditional town functions, but the cities and boroughs had come to have important powers in these fields. Every town had its "green," but the boroughs and cities had parks. The county sheriff and town constables, in declining tempo as time has gone on, and the state police in increasing tempo since its establishment in 1903, have furnished police protection, but the city and borough police departments had come to have the significant rôle in their own territories.

The important reasons for consolidation were the duplication of officials and the overlapping of functions. Each government had a set of officials for "general government" activities. The selectmen in the town, the mayor and council in the city, and the warden and burgesses in the borough were carrying on activities that were generally similar. There was always a town clerk and a borough or city clerk. A treasurer, a tax collector, and auditors existed in both governments. In addition to assessors and boards of tax review in the town governments, there were often such officials in the boroughs and cities. Elections were conducted by both governments. The city had a superintendent of streets and the town might have a superintendent of highways. Separate health officers existed in the borough or city and in the town. Overlapping had been forestalled in this field by a general law that town health officers would have territorial jurisdiction only in the area outside the borough or city. The most serious problems resulting from overlapping were in the field of highways. Difficulties arose over the question of how much of the town appropriations for highways should be spent within the city or borough, whether certain street work should be done by the town or borough or city officials, the use of town appropriations for street lights in rural areas after the borough

or city provided its own street lights, and the lack of planning in street excavations. While the elimination of duplication and overlapping were the principal reasons for consolidation, there were in a few instances other minor reasons. In the five cases of town and borough governments which were consolidated as city governments, the change from borough to city government probably came to be the real reason in the minds of the people as agitation continued over many years and the difference between consolidation and this change became hazier. In Greenwich, the borough had come to be submerged in a surrounding built-up area. The town government had gone to the legislature to get special authority to provide urban services such as police and fire protection. The borough taxpayers were paying for their own services, and, in addition, as town taxpayers, for similar services in the outside territory. It was to eliminate this inequity that the borough was abolished, as well as to eliminate duplication and overlapping. In a few cases, the hope of partisan advantage may have been a factor.

In order to consolidate town and city governments, it was necessary to obtain special acts from the legislature.[2] The typical procedure included the following principal steps: The town meeting created a committee to draw up a consolidating bill or a complete charter; at another town meeting, the draft bill was discussed, amended, and voted upon; the bill was then introduced in the state legislature by the town's representatives or senator, and the state legislature enacted it; and, finally, a referendum was held in the town to determine whether the act should go into effect. However, not all of these steps were always taken. Also, there were a few instances in which the people never had an opportunity to express themselves except in the public hearing before the legislative committee on cities and boroughs.

Consolidation was accomplished only after considerable agitation and in the face of much opposition. Years of discussion often preceded success. The history of consolidation in Meriden and New Canaan was atypical only in that it perhaps extended over a longer period and was more eventful than in other places. Agitation for consolidation in Meriden began at least as early as 1892, but consolidation was not effected until 1922. The question of raising a committee to draw a consolidating charter was voted on in 1892, 1895, 1896, 1899, 1902, and 1905. Committees were created and reported to the town in 1892, 1896–97, 1899, and 1905–06. Special acts of the legislature were voted on in referenda in 1913, 1915, and 1921. New Canaan turned down legislative charters in 1921, 1925, and 1931, before voting favorably in 1935. Objection to consolidation came from var-

[2] Every city and borough and several towns in Connecticut operate under special legislation.

ious sources. The most general opposition arose from people outside the city or borough who feared that their taxes would be increased to pay for services that only the urban people would receive. There is also some evidence that the rural people feared an increase in the political power of the city people, whom they mistrusted. Selfish interests were in evidence also, particularly office-holders who would lose their jobs. In Greenwich, consolidation was opposed by people outside the borough who did not wish to pay for services they were getting, but that the taxpayers in the borough were providing. The *Hartford Courant*, in an editorial, opposed the elimination of a form of government that had nearly three centuries of tradition in Hartford. Opposition in some instances was not only to consolidation, but also to other features of the act before the people. Thus, in New Canaan the acts voted down in 1921 and 1925 provided for town manager and town council forms of government, respectively.

What were the principal features of the consolidating acts? Before considering the provisions that were particularly related to consolidation, some features that were incidental to consolidation should be noted. It has already been pointed out that in five towns city governments were substituted for borough governments. This involved a complete revision of the governmental structure. In four of the six towns which retained town government, the opportunity was taken to obtain important structural changes. Even in several of the towns in which city and town were being joined, revised charters were adopted. It is doubtful whether many of the changes were improvements. Consolidating acts which provided for a council-manager, commission, or town-council form of government were not accepted by the people in referenda. The abandonment of town meetings in the fifteen towns which consolidated under city or borough forms of government was probably clear gain; but city or borough meetings were retained in a number of towns for voting the appropriations and levying taxes. In a few instances, commonly elected officials such as assessors and tax collectors were made appointive. In a number of cases, the concentration of the power to prepare the budget in a board of finance was offered by the proponents of consolidation as a distinct improvement over the budgeting system which it superseded; this was probably true, although it at the same time dispersed governmental authority. One town, while in the process of consolidation, eliminated a separate fire district, and another several school districts. Non-partisan elections and the initiative, referendum, and recall were introduced in two or three acts, although the most useful of these, non-partisan elections, has been repealed by the legislature.

Of the provisions that were directly related to consolidation, the elimination of one corporate body and of one set of officials was common to all. However, consolidation was not always complete. Duplicating treasurers,

tax collectors, assessors, boards of tax review, auditors, and health officers were discarded in all cases. In the six towns in which boroughs were abolished and their functions assumed by the town governments, all duplication was eliminated. In the fifteen towns that adopted borough or city government, because of a provision in the state constitution that the town selectmen must decide on the qualifications of voters, these officials were retained to perform this one function. Their other powers, however, were transferred to the regular city or borough officials, with some minor exceptions and the important exception indicated below. In some cases, separate town and city clerks were continued. The most important exceptions to complete consolidation were in Middletown and Norwalk. In Middletown, the charter provided that the first selectman should be the executive in charge of the important functions of highways, in that part of the new city that had been in the town but outside the old city; and of welfare, in the entire town. In Norwalk, three districts with corporate powers and their own elected governing boards, clerks, and treasurers were created. Territorially, their jurisdiction was identical with that of the city of Norwalk, the city of South Norwalk, and the East Norwalk fire district, which had been abolished by the consolidation act. Functionally, their jurisdiction was much reduced. One district supplied water, one electricity, and one both; all three maintained libraries. The city government laid and collected taxes for the three districts.

One of the principal obstacles to consolidation was the objection by the taxpayers of the rural part of the town to taxation for services that would benefit only the residents of the urban area. To meet this objection, there was employed perhaps the most significant feature of the entire consolidation process. A separate taxing district which included only the area of the old borough or city was created. While the entire town as one taxing district was taxed for services that the town government had been rendering, the urban taxing district alone bore the cost of services that its residents alone were to receive.[3] Thus one government was to function at one and the same time as a town government and as a borough or city government. This rural-against-urban problem was met in another way in New Haven and Hartford;[4] property-owners in the rural territory were protected by a fixed, low, maximum tax rate. In only three instances were such separate taxing districts not employed. Both Ansonia and New London have areas of less than six square miles, and in New London the town

[3] This feature of town and city consolidation in Connecticut appears to be similar to the new form of township government proposed by the Princeton Local Government Survey. Cf. W. S. Carpenter, *Problems in Service Levels* (Princeton, 1940), pp. 135–138.

[4] In Hartford, before consolidation certain property had been brought within the corporate limits of the city subject to a low maximum tax rate; this low rate was simply continued by the consolidating act.

and city were already coëxtensive in area. In Guilford, while the area of the town was very large, and of the borough small, the town government was already supplying fire protection, full-time policing, and street lighting to the outside territory. In Greenwich, the old borough was maintained as a separate taxing district only for the purpose of liquidating the debts that had been incurred before consolidation. In New Canaan, likewise, the old borough was to exist as a separate taxing district to liquidate debts if funds available were inadequate; however, the town was given the power of creating separate taxing districts, and one such district has been set up.

While provision was being made for separate taxing districts, a few other features were included that applied to these separate districts. In a few towns, provision was made for assured representation of the rural area in town affairs. Thus, in Middletown, three of the nine members of the city council, elected at large, must reside in the area outside the urban taxing district. In a few cases, the law provided that certain ordinances should apply only in the urban area. In three instances in which general power was given to the voters to hold up certain actions of their officials until a referendum could be held, it was provided that the voters in the urban district alone might act upon matters that were of concern to them only.

Problems have arisen with respect to the allocation of costs of certain services to the special urban district and to the town as a whole. One fundamental contributing factor is the basic difficulty of determining what is a general service and what is a special service. Another fundamental contributing factor is the fact that in the years following consolidation there has been an increasing demand, not only by suburban residents, but even by farmers in the outside territory, for urban services such as police and fire protection and street lighting. There has been the greatest divergence in allocating the costs of particular services to the two districts. The charges for education, public welfare, collection of vital statistics, and the salaries of the selectmen have been invariably charged to the town as a whole, because unconsolidated cities and boroughs had never borne any share of their cost. Police departments, fire departments, street cleaning, sewage disposal, ash and garbage collection, street lighting, and ice and snow removal were usually confined to boroughs and cities before consolidation, and immediately after consolidation they were charged to the urban taxing district alone. In time, however, the residents of the outside territory came to desire one or more of these services. At first, the cost was usually so small that no question of payment was raised. But as the services increased, the problem became serious. It was often met by charging to the taxpayers of the entire town the cost of the services rendered the outside territory.[5]

[5] This was given legislative approval in one instance. *Special Laws of Connecticut, 1921*, p. 756, sec. 3.

The greatest divergence arose in the case of those officials and services which had been common to both governments before consolidation, or existed only in the city or borough, but served both districts after consolidation. In the majority of the towns, the salaries of such officials as mayor, city councilmen, clerk, treasurer, assessors, members of the board of tax review, and tax collector were charged to the town as a whole. In one town, the salaries of the mayor, city council, and city clerk, which had existed only in the city government, were charged to the urban district; the salaries of the town clerk, assessor, and board of tax review, who had been town officials only, were charged to the entire town; and the salary of the treasurer, of which there had been two before consolidation, was divided evenly between the two tax districts. In three towns, the salaries and expenses of all the general officials were charged evenly to the two districts. And, in one town, apparently there was an effort to charge to the urban district that share of the salaries and expenses of the mayor, city council, clerk, assessors, auditors, attorney, and treasurer which was roughly proportionate to the services rendered by these various officials in the urban district. The cost of public health, by specific provisions of the consolidating acts in some instances, is usually borne by the town. But two of the towns that have a fifty-fifty division of general government costs have applied the same principle to health officials; and the town which attempts to determine proportionate benefits of general government officials does the same thing for health officials.

In dividing the costs for highways and streets, all of the above practices have apparently been applied as well as a few additional ones. It is difficult to ascertain precisely the basis of the allocation, but there is evidence of all of the following practices. In only a few towns is the whole cost of highways and streets borne by the entire town. Some of the activities are shared equally in some towns. The cost of some items, such as permanent pavements, which were constructed only by cities or boroughs before consolidation, is borne only by the urban district. Before consolidation, difficulties had arisen as to the amount of highway work to be done with town money within cities and boroughs, and the state legislature had stepped in by general and special laws to require a division; practices that had developed before consolidation have influenced the allocation after consolidation.

The paradox of consolidation is that, while it was the people of the outside territory who were most opposed to consolidation in the beginning, the device of separate taxing districts is now criticized chiefly because it is overly favorable to the outside territory. Responsible government officials are most often aroused by the practice of extending services to the outside territory which are financed only by the taxpayers of the special urban district. No direct evidence is available on the point, but it

was hinted that residents of the outside territory are irritated if the fire or police departments, paid for only by the urban district, do not respond to their requests for assistance. The practice of charging the taxpayers of the urban district all of the cost of certain services rendered in the district, and then of taxing them again as town taxpayers for the cost of the same services rendered only in the outside territory, is hardly equitable.

The town in which the outside territory probably receives the most favorable treatment was not included in the analysis in the previous paragraphs. In the act consolidating the town and city governments of New Haven in 1897, the provision concerning taxation was that the outside territory should receive no services or improvements except those that had been or could have been provided by the town government before consolidation, and that this territory should be taxed no more than four mills on the dollar, exclusive of the school tax. The territory is provided with health and welfare services, streets, except street lighting, and the general services of government; but despite the ever-increasing costs of these services during the past forty years there has been no change in the law.

Charter provisions and practices in Middletown also give the people in the rural territory a particularly favored position. By unique provisions in the consolidating act, the taxpayers in the urban district must bear all of the costs of fire and police protection and parks in the urban district, and as town taxpayers part of the cost of these same services in the outside territory. In practice, this same principle has apparently been applied to some extent to highways and streets. In addition, Middletown is one of the places in which the urban district alone must pay one-half of general government and health department costs. The inequity of the division is magnified by the fact that substantial residential areas have developed in the outside territory until one-third of the taxable property of the town is located there.

Differences in charter provisions explain only a few of the differences in allocation of costs that have been cited in this and the previous paragraphs, and those not the important ones.[6] The division before consolida-

[6] The following quotations are fairly typical of the two general types of provisions concerning the division of costs between the taxing districts:

"Sec. 5. Said city of Bridgeport is hereby divided into two districts. The first district shall comprise all the territory of said city, and the second district shall comprise all the territory that lay within the limits of said city as the same existed on the first day of January, 1889.

Sec. 6. All the inhabitants and property within the limits of the first district shall be liable to taxation to defray the burdens and expenses imposed upon said city by this act to the same extent as they would be liable if said burdens, expenses, duties, and powers had not been transferred from said town to said city, and in addition thereto for the expenses of the board of health of said city, and the expenses of, less

tion and differing ideas as to what is of general and what of special benefit are more important as explanations. Political considerations have not been absent. It is difficult politically to deny services, even though someone else is paying the bill. There is no doubt that responsible officials have failed to correct inequitable divisions because of the possible political repercussions.

At the same time that these problems have developed, some constructive steps have been taken to solve them. In Naugatuck, the tax levies for the two districts have never been tied up with certain precise services. It has thus been easy, as more and more services have been extended in the outside territory, to adjust the tax levies accordingly. In the fiscal year 1905–06, the town levy was eight mills and the urban district levy seven mills on the dollar. The town levy has been gradually raised until in recent years it has been nineteen mills, while the urban district levy has been lowered to five mills. In some of the towns, responsible officials have succeeded in shifting a few items from the urban district to the entire town, when the services have been given to the outside territory. In a number of towns, the costs of fire and police protection and street lighting in the outside territory are now borne by the entire town, but this, of course, means that the urban taxpayers still pay twice. In a few instances, the towns have gone further in transferring the tax burden. In Meriden, for example, in 1941 the entire town paid for public liability insurance for streets, sidewalks and buildings, property damage insurance for streets and sidewalks, and snow and ice removal for the entire town and street lighting for the urban district, which in 1940 were paid for by the urban district alone. The shifts amounted to more than ten per cent of the total charge against the urban district. In a few cases, special legislation

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receipts from, criminal prosecutions and police protection outside of said second district, and truant officers, which expenses shall be ascertained and determined by the city auditor; and all other burdens and expenses of said city shall be met by taxation levied upon the inhabitants and property within the limits of the second district. . . ." *Ibid.*, 1889, p. 855.

"Sec. 6. The city of Meriden, for the purpose of taxation, is hereby divided into two districts. The first taxation district shall comprise all of the territory contained within the limits of the present city of Meriden. . . .

Sec. 7. A general tax shall be annually laid upon the inhabitants and property within said city, for the purpose of meeting the obligations and expenses of said city, but all money required to be expended for the care and maintenance of the water department and sewer and park systems and their extensions, the expense of the police and fire departments, the interest and sinking fund upon the debt of the first taxation district, and such other appropriations as are necessary for the special benefit of said first taxation district, or for any public work or purpose which is for the exclusive benefit or use of the inhabitants or property within the first taxation district, shall be raised by taxation upon the inhabitants and property within the said first taxation district only." *Ibid.*, 1921, p. 921.

was obtained from the legislature to authorize such shifts. In Waterbury, in 1931, for example, it was provided that the entire town should bear all of the costs of government except garbage collection. In a few cases, territorial rearrangement of the urban taxing district has been made. On at least seven occasions, the boundaries of the urban taxing districts in four towns were enlarged. In five of the consolidating acts, provision was made for the addition of territory to the urban district by action within the town alone. While in two or three instances this has occurred, the fact that a majority of the residents in the territory to be taken in must usually agree to the inclusion has militated against the use of this procedure. In two of the acts, provision was made for the creation of additional taxing districts, and three such districts have been created. One other additional district was set up by special legislation. This has made it possible for outside territory to get certain special services without any cost to the original urban taxing district. Finally, in three towns the separate taxing districts were eliminated entirely after they had been in existence for periods of eighteen, thirty-six, and forty-four years. Adding three towns that never had separate taxing districts, and three others that have them for only one service, there are now nine towns in which there is almost complete consolidation.

How successful has consolidation been? The elimination of duplicating governments has been clear gain. It is significant that no one suggests reëstablishing separate governments, while consolidation goes steadily forward. The device of separate taxing districts has, on the whole, worked well. In a majority of the towns, the problems mentioned above have either not arisen at all or have not been serious. In others, the problems are gradually being faced and solved. In some cases the separate taxing districts have been only a transitional step to complete consolidation. However, it is clear that it is impossible to define permanently what is a general local government function and what is a special urban function. And efforts to do so can fix by custom a tax distribution which may be used by vested interests to maintain tax inequities. The anticipation of social and economic changes when drawing charter provisions would eliminate some of the problems which have arisen. The fewest difficulties have come in those towns in which the practice has been to charge the entire town for services that benefit the outside territory in any way, and the urban district for those that are clearly of benefit only to the urban district. While there are only two acts providing for the creation of additional taxing districts, in these two towns such districts have been set up and have helped to solve the problem of special services for the outside territory. Town and city consolidation in Connecticut has been employed successfully to reduce the number of overlapping and duplicating governments, and special taxing districts have been the means of hurdling the

obstacle of rural opposition; however, if charter provisions for special taxing districts are drawn without an eye to the future, they may raise new problems as well as solve old ones.

MAX R. WHITE.

University of Connecticut.

State Supervision in New Jersey over Municipalities in Unsound Financial Condition. In 1938, New Jersey established a State Department of Local Government which, although not as far-reaching in the scope of its authority as its name suggests, possesses extensive and, in some respects unusual, powers of control over municipal finance.[1] The powers given to the Department then and subsequently include supervision of municipal accounting, fiscal administration, funding operations, budgeting, and auditing. Particular interest, however, in New Jersey and elsewhere has centered on the authority given the Department over municipalities in or approaching serious financial peril. Such municipalities were made subject to supervision administered with considerable discretion by the Department which, it was hoped, would not only check the course of localities headed for financial wreckage but also salvage and repair areas where the crash had already occurred. The experience of the Department thus far indicates that much has been accomplished on both scores, but also that there are clear limits to the possibility of restoring financial health to all of New Jersey's existing assortment of municipalities by virtue of the present treatments.

This need not be surprising in view of the fact that New Jersey's 566 municipalities are vexed with some of the worst and most stubborn causes of financial malady. The entire area of the state is divided into incorporated places, each of which must provide most of the local services. The reasons for financial distress range from impoverished agriculture to faulty metropolitan articulation. Some of the seashore resorts are in well-nigh hopeless condition, due to unjustified optimism of founders and promoters; abandoned real estate developments are common throughout the state; local planning and zoning are generally deficient; inter-governmental coördination is rudimentary. Places without any significant industry, commerce, agriculture, or taxable wealth eke out an existence as separate units striving to carry at least a minimum of services. In general, New Jersey's municipalities were created and continue to exist without adequate reference to taxpaying capacity, need for services, or consideration of optimum areas of administration.[2] Inevitably, therefore, the least

[1] S. D. Hoffman, "A State Department of Local Government," *National Municipal Review*, May, 1939, pp. 348–354.

[2] W. S. Carpenter, *Problems in Service Levels* (Princeton, 1940), pp. 84–85.

fortunate of the state's municipalities have suffered serious financial enfeeblement.

The special powers of the Department over financially backward municipalities are derived from two main sources. The first is the Fiscal Supervision Act of 1938,[3] one of the four local government acts of that year initiated by the Princeton Local Government Survey. This vested in the Department certain powers designed "to impose special restraints upon municipalities in, or in danger of falling into, unsound financial conditions." The second main source of the Department's authority in this sphere is the act of 1939 which gave to the Local Government Board of the Department the powers formerly held by the Municipal Finance Commission.[4] By the former act, the Department was given somewhat limited and essentially preventive powers, and from the latter it received a more comprehensive and powerful authority over municipalities where graver financial conditions prevailed.

An unusual feature of the Fiscal Supervision Act of 1938[5] is its definition of unsound municipal financial conditions. Whenever, at the end of the fiscal year and after notice and hearing by the Local Government Board of the Department, a municipality is found to fall within this definition, it is placed under special controls which are prescribed. These continue in effect until the conditions which led to supervision have been overcome and the municipality has operated during the preceding fiscal year without incurring a cash deficit.

Five tests of financial unsoundness are found in Sec. 3 of the act. The first is the existence of a default in the payment of interest or principal of bonded or bond anticipation obligations. Twenty-two of the 60 municipalities which have at one time or another been found subject to the act have been brought under its scope by this test, sometimes in conjunction with one or more of the other four tests. The second test, the existence of indebtedness to the state or county or to a school district or special district which has remained unpaid for two preceding years, has been found to apply to 18 municipalities. The third test affects municipalities which have had to include in both the preceding budget and the next regular budget an amount for "cash deficit of preceding year" in excess of five per cent of the total of taxes levied upon real and personal property. Six places have been brought under the act by this provision. The test which has applied to the largest number of municipalities is the fourth one, whereby if less than 50 per cent of the taxes levied on real and personal property in the year just closed and in the preceding year were actually collected during the year of levy, and if more than 25 per cent of the taxes levied in the preceding year were

[3] Ch. 127, P.L. 1938. [4] Ch. 385, P.L. 1939.
[5] As amended by Ch. 95, P.L. 1941.

still uncollected at the end of the year just closed, a municipality must come under the Department's control. This has happened in forty-three municipalities. The final test deals with the amount required to be included in the next budget for liquidation of floating debt.[6] If this exceeds 25 per cent of the total of appropriations for operating purposes in the local budget for the year just closed, exclusive of dedicated revenue appropriations, the municipality is subject to Department supervision. Ten localities have been found affected by this provision.

The invocation of the second broad range of the Local Government Department's special powers over financially delinquent municipalities, namely, those exercised by the Local Government Board of the Department acting as the successor of the Municipal Finance Commission, depends upon court action, which can be instigated in either of two ways. First, the holder of notes or bonds of a municipality which has been in default as to interest or principal for 60 days can petition a justice of the supreme court (a court of generally intermediate jurisdiction in New Jersey's complex and archaic court system) or, second, the municipality's governing body itself can file a resolution with such a justice to the effect that in spite of its endeavors the obligations cannot be met. If, in either case, the justice finds the facts to be correctly stated, an order is filed establishing the jurisdiction of the Local Government Board. This is to continue in effect, in whole or in part, until the gross and net debts of the municipality are within all statutory limits.

The powers of control acquired by the Department from its first major source of authority over municipalities in financial distress, that is, from the Fiscal Supervision Act of 1938, are, as has been said, somewhat limited and preventive in nature. They are primarily intended to be used to arrest the trend of municipalities which are approaching, or already in, grave difficulty, but which have not yet reached the most serious straits. Sec. 5 of the act provides for a limitation on debt which may be incurred. In general, no additional obligations, bonded or otherwise, are to be incurred by a municipality brought under the terms of the act, nor by a school district or any special district within such a municipality. However, this prohibition does not affect the power to issue strictly current obligations or to fund outstanding obligations in accordance with regular procedure provided by statute for all municipalities. Neither does it apply to obligations issued in order to comply with legally authorized orders of any state agency, nor to those issued, with the approval of the Local Government Board, in accordance with any law permitting borrowing to finance relief or for emergencies.

A limitation regarding appropriations is contained in Sec. 6. A municipality subject to the act may not, through its appropriations, cause an

[6] *Revised Statutes* 40: 2–21(d) and 40: 2–23(b).

increase in the amount needed to be raised from property taxation for local purposes of more than five per cent over such amount for the year preceding the year when the municipality became subject to the act. The same limitation applies to appropriations for school and special district purposes within the municipality. By a recent amendment of this section,[7] the Local Government Board may authorize the adoption of a budget exceeding this limitation if it is found mandatory by law, or to protect public health, safety, morals, or welfare, or to prevent irreparable damage to public property, or for realization upon municipal assets. However, in such event, the Board is to fix the total of all appropriations, including the excess above the limitation of this section.

An important authority is conveyed to the Commissioner of Local Government by Sec. 7. He "may order the governing body or an officer of a municipality subject to this Act to perform any duty prescribed by law whether or not a specific penalty or enforcement procedure is provided by such law." This enables the Department to insist upon the performance of regular statute-imposed duties affecting the financial condition of municipalities which might otherwise be ignored. An excellent example of the usefulness of Sec. 7 is found in the success of the Department in requiring annual tax sales. This is, by law,[8] a duty of all municipalities, but is widely ignored.

Sec. 8 of the act concerns the liquidation of floating debt, and it permits the Local Government Board to approve and supervise plans of liquidation which alter the normally required rate, the date on which liquidation is to be completed, and the payment of amounts due to other jurisdictions.

In addition to the foregoing powers, Secs. 9 and 10 give certain advisory powers and duties. The former authorizes, or, if the governing body of a municipality under the act makes a request, requires the Commissioner of Local Government to make a special analysis of the financial situation of a municipality. The latter instructs him to extend all possible consultation and assistance to municipalities under the act.

To meet the needs of municipalities under the Fiscal Supervision Act which are in more definitely serious condition, a recent act[9] authorizes the Local Government Board to use additional powers. These special powers may be invoked whenever a municipality has incurred a cash deficit in two of the last three years of not less than 10 per cent of its levy on real and personal property, and may continue in use until the municipality escapes from Fiscal Supervision Act control or has operated for three consecutive years without a cash deficit in excess of five per cent of its levy on real and personal property. One such power is that of supervision and control over the assessment, collection, and enforcement of

[7] Ch. 95, P.L. 1941.
[8] *Revised Statutes* 54: 5–19.
[9] Ch. 75, P.L. 1941.

property taxes and the administration of licences and other miscellaneous revenues. Another privilege of the Board is to require the preparation by a municipality of an active and an inactive assessment list in order that the latter may be deducted from the valuation on which state and county taxes are levied, and so that special attention may be given to its rehabilitation. The Board may also require the selection of a local administrator of finance, who is to work under the supervision of the Board, and who may be given authority over the administration and liquidation of local assets and liabilities, the enforcement of obligations, the investigation of possible economies through contractual agreements, and the exercise of the controllership function. In addition, the Board may relax the statutory requirement of provision for "deferred charges and statutory expenditures"[10] in a municipality's budget.

For the treatment of those municipalities which have, so to speak, already gone over the financial precipice, the powers of the Local Government Board of the Department derived from the former Municipal Finance Commission are available, although admittedly inadequate.[11] The powers thus acquired take precedence over any mandatory provisions of state law governing municipal budgets.[12]

An auditor appointed by the Local Government Board countersigns all municipal checks and warrants; he may be given power to recommend the annual budget, to review contracts, to make recommendations regarding all capital improvements, to attend and take part in the discussions of the governing body, and to investigate the affairs of any department, officer, or employee of the municipality. The Board also possesses power with respect to the appointment of special collectors of delinquent taxes and the compromising or adjustment of delinquent taxes and special assessments. A reassessment of taxable rateables can be required, and special powers are possessed concerning the installment payment of assessments for local improvements, and the sale, exchange, lease, or other disposition of tax titles or real estate owned by the municipality. Supervisory authority over the finances of school districts within defaulted municipalities is also given to the Board.

The entire process of funding or refunding of municipal indebtedness is under the Board's jurisdiction. In connection with the issuance of obligations for such purposes, the Board may require enforceable provisions to be included in the bond contract which impose an iron control upon the financial and administrative policies of a municipality.[13] No increases of local expenditures are permitted without consent of the Board; more-

[10] *Revised Statutes* 40: 2–21(e).

[11] *Annual Report of the Local Government Board*, 1939, pp. 30–31.

[12] *Revised Statutes* 40: 2–4.

[13] *Revised Statutes* 52: 27–23.1, as amended by Ch. 202, P.L. 1938.

over, any failure of municipal officers or employees to perform duties laid down by any statute or local ordinance or regulation can be used by the Board as grounds for action leading to the removal or suspension of such persons and the appointment of other officials. If need be, the Board can carry out directly and in the name of a municipality any orders not complied with by the municipality.

In practice, the Local Government Department has not chosen to follow a policy of using its various powers to the utmost. Rather, it has sought through individual study and investigation and by consultation and conference to obtain coöperation from municipal officials, citizen groups, state agencies, creditors, and other interested parties. This is, no doubt, the wisest course, as a harsher attitude would imperil not only the chances for constructive action, but perhaps also the very existence of the Department itself.

With respect to municipalities falling under the Fiscal Supervision Act, the Department has stressed the need for more efficient and vigorous tax collection and tax sales whenever the financial situation of the community warrants it. Unfortunately, this is not always the case, as some places either lack a genuine economic basis for separate existence or are saddled with tremendous debts and costs due to rash and unplanned expansion in former years. Of the 60 municipalities which have so far come within the terms of the act, 16 have been released primarily as a result of improved tax collection. This improvement is, however, a relative matter, and tax collections of such released municipalities seldom rise above 65 per cent. Other efforts made by the Department to improve the condition of its Fiscal Supervision Act charges include the encouraging of refunding operations where possible, the modification of the statute-decreed rate of liquidation of floating debt, the resisting of debt and appropriation increases, and general counsel and advice concerning sound economic and administrative practice. Altogether, 32 out of the 60 municipalities which have so far fallen under the terms of the act have been released after having overcome the conditions which brought them within the act. Five others, in particularly serious condition, have been transferred to tutelage under Municipal Finance Commission powers. Those which remain under the Fiscal Supervision Act are in relatively serious condition, and are unlikely soon to be released.

Municipalities which are held under Municipal Finance Commission powers now number 15 out of a total of 20 affected since such controls were first established in 1931. For the treatment of these places, particular reliance is rightly put, where possible, on favorable refunding. Plans have been put into operation in 13 of the localities, including the five which have been wholly or partially released; and efforts are being made to arrive at acceptable plans for the other seven municipalities. Both serial

and term bonds with call provisions are utilized. Complete annual tax sales and foreclosure of tax title lien property are required. A representative of the Department is in close touch with the affairs of each place, and a careful examination of transactions and contractual obligations is made. The development of new rateables is encouraged, if deemed soundly conceived. Speaking generally, all phases of local governmental policy are scrutinized, and through persuasion and recommendation, if possible, economy is sought.

There is no doubt that the operations of the Department have aided its financially unsound municipal wards. Improved tax collections, lowered and refunded debts, and greater economy of operation are apparent, particularly where a major cause of difficulty had been administrative laxity and ineptness rather than inadequate economic and social foundations or crushingly excessive obligations. However, the present approach to the problem of the financially unsound municipality seems to rely too much upon more or less heroic efforts at rehabilitation within the existing unplanned and uncoördinated pattern of local governments. Such an approach inevitably fails in the case of those localities which are in extreme financial distress, and continued improvement elsewhere is uncertain. The Local Government Department is well aware of this, and has repeatedly recommended consolidation and regrouping of functions and areas. The state legislature should authorize the Department, working with the State Planning Board and civic and educational groups, to make studies and recommendations leading to a fundamental overhauling of service areas and tax structures. While the opposition to this in New Jersey, as elsewhere, is considerable, it may well be that with state constitutional reform in the air, and as a result of the focusing of attention on the problem of municipal financial collapse which has come from the work of the Department, such a step will be possible. If so, the importance and significance of the present program will have been greatly enhanced.

JOHN H. MARION.

Rutgers University.

A Decade of County Government Reorganization in North Dakota. No state better represents a period of local government reorganization than North Dakota. The 1941 legislative session climaxed for that state a decade of reorganization attempts to make adjustments in the institution of county government. The 1941 legislature added to consolidation and disorganization laws[1] enacted in previous legislative sessions three alternative forms of county government—the "County Manager Form,"[2] the

[1] The 1941 legislature also amended the disorganization law.

[2] *Laws of North Dakota*, 1941, ch. 131.

"Short Form of County Managership,"[3] and the "County Consolidated Office Form."[4] As if these did not permit enough variation in reorganization, a Governmental Survey Commission[5] has been created to recommend to the next legislature any changes in either state or local government that may seem necessary.

For over a decade, a combination of citizen and interest groups, representing both the rural and urban approach, had been agitating for local government change. It was not that sentiment for the local government form as developed in Middle Western states was less strong than elsewhere, but the very pressure of economic circumstances, coupled with the expansion of local government services, made change inevitable. Social security problems created by a shifting and dependent population, changes in educational requirements, and land-use control practices presented challenges which the existing local institutions could only inadequately meet. It is, indeed, a tribute to the institution of local government that it maintained the degree of stability that it did during this period of economic dislocation. But at the same time it takes more than institutional tradition to service an army of unemployed, to manage vast estates of county tax-deeded lands, or to supervise public works construction projects—functions about which local governments two decades ago knew virtually nothing. Citizens of North Dakota were, during the thirties, gradually impressed with the fact that certain governmental readjustments had to be effected if the institutional governing machinery was to deal effectively with the social and economic problems which the last decade threw into bold relief.

As in most Midwestern states, a revision of the state constitution was necessary before any change could be made in local government structure. No fewer than six constitutional amendments were voted on during the past decade. The first was a proposal in 1930 to change the terms of state and county officers from two to four years. This was defeated by a vote of 109,060 to 84,849. At that time the depression had not yet so affected local government finances that people were willing to make changes in their institutional patterns.

But by 1933 tradition had given way to economic imperatives. Conscious of the excessive number and salary costs of local officials, an amendment to reduce the number of county officers was approved. Designed primarily for the small rural county, it combined the offices of clerk of district court and county judge in all counties of less than 15,000 population, and in counties of less than 6,000 added to this combination the office of register of deeds.

In the same year, the legislature enacted a county consolidation law. By a petition of 20 per cent of the legal voters, the petitioning county

[3] *Ibid.*, ch. 132. [4] *Ibid.*, ch. 130. [5] *Ibid.*, ch. 216.

could be annexed to an adjoining county upon a favorable majority vote of the petitioning county and a 60 per cent favorable vote of the adjoining county. The 1937 legislature amended the procedure by requiring the petitioning county to favor the consolidation by a 60 per cent majority vote, and the 1939 legislature changed the law so as to require a petition to be presented by 30 per cent instead of 20 per cent of the voters.

The feeling soon developed, however, that the 1933 amendment, which consolidated offices, was too broad and included relatively well-fixed counties for which the amendment was not designed. Abetted by pressure of individuals adversely affected by the change, the 1935 legislature drew up an amendment making the consolidation provisions apply to counties of 12,000 or less, and then only after each county to which the amendment applied had signified its approval by vote. This amendment was defeated in 1936, and again in 1938.[6]

Momentum for local government reorganization kept increasing. The 1937 legislature was the first to propose a county manager amendment, which would have allowed counties of 8,000 or less to adopt a manager plan by referendum. The defeat of the amendment by a close margin, 94,702 to 80,786, served merely to spur the proponents of local government reform to further effort.

The 1939 legislature not only enacted important legislation, but paved the way for major constitutional change. To the procedure for county consolidation was added the county disorganization law, enabling counties "to disorganize their present governments and become attached to adjoining counties for the performance of essential functions."[7] At the same time, the constitutional amendment was proposed which was to give the legislature the power to provide for optional forms of government for counties.

The historical background of the reorganization movement is significant because of the shift in emphasis during the years from mere structural-boundary change to the viewpoint that internal administrative reorganization was most essential. Despite the fact that the county consolidation law was a direct outgrowth of recommendations of the 1932 Governmental Survey Commission Study, and that the county boards had lobbied for both the consolidation and disorganization laws, no reduction in the number of counties was effected. Whatever other prejudice existed, the failure to adopt any changes under these measures indicated that public sentiment did not wish to abolish institutional forms prior to

[6] The 1938 amendment left out the provisions that the consolidation must be approved by the counties concerned and that county treasurers and sheriffs were to be limited to two consecutive two-year terms.

[7] Kenneth Wernimont, in *National Municipal Review*, Nov., 1939, pp. 769–772, 796.

overhauling the administrative machine. Then, too, it was evident that mere changes in county lines or reduction in the number of county officers would at best result in only meager financial alleviations, and that the problem of adjusting the actual operation and functions of local government to meet the needs of a changed economy still persisted.

The constitutional amendment met the issue squarely.[8] The legislature was given power to set up forms of government for counties in addition to the existing county board form. One of the forms created must, however, be the county manager plan. Once these forms were created, any county could submit one or more optional forms to a referendum. Though initiation procedure was to be legislatively determined, to insure democratic rights and to provide alternatives to methods dependent upon bureaucratic county "machines," the amendment stipulated that a petition of 15 per cent of the county's qualified electors should serve to bring the issue to a vote. If electorally approved by a majority of those voting, the new government form was to be adopted.

1941 Legislation. Optional county government forms were introduced as separate pieces of legislation and enacted as individual laws. Though some consideration was given to incorporating the legislation in one broad enabling act, this would have been complicated, and would have given the appearance of casting all counties into the same mold—which was undesirable since there were certain counties to which a particular law would best apply.

In setting up the three optional forms, the legislature made enactment procedure more difficult than the amendment had required. In both the County Manager and the Short Form of County Managership laws, submission of the optional plan to referendum is dependent upon a petition signed by not less than 35 per cent of the voters who voted in the last gubernatorial election, or upon a majority vote of the "full board of county commissioners." In the case of the County Consolidated Office law, the number of signatures on the petition is increased to 40 per cent. Notice of the referendum must be published once each week for four weeks before the date of election. Before any plan may be adopted, 55 per cent of the votes cast must favor it. The plan goes into effect on the date designated in the petition or resolution, except that this is to be not less than 30 days after election date. All elected officials whose offices are abolished are to hold their positions until the expiration of their term.

The County Manager Plan. First of the optional laws to be approved was the County Manager Plan. Patterned after the Model Act, this plan was enacted for counties large enough in both population and resources to organize their administrative set-up on a departmental basis. The law

[8] *Laws of North Dakota*, 1939, ch. 112. (The amendment was ratified at the primary election of June, 1940.)

differs from the model example in that certain county officers are retained and that enactment procedure, as described above, is more difficult. The county still elects the sheriff, superintendent of schools, and the county judge; and all phases of county school administration remain with the superintendent of schools. The functions of the offices of constable and coroner are transferred to the sheriff's office, and those of the clerk of the district court and justices of the peace to the office of the county judge. The office of public administrator is abolished, and the judge is given power to appoint persons to handle matters connected with that office. With the exception of these changes, the law is identical with the Model Act.

In common with the other optional forms, the manager plan makes no change in the legislative body of the county, the county commissioners. Depending upon the county, either three or five commissioners are to be elected from existing commissioner districts. Vacancies in the county board are to be filled temporarily by one of the county's remaining elected officers.

The Short Form of County Managership. The plan known as the Short Form of County Managership, a variation of the straight County Manager Plan, was designed for counties that wished to adopt a manager form of government without organizing the county on a departmental basis. For those counties where county employees are few and the main line functions are performed by one individual, an elaborate departmental organization would be a mere paper structure. Then, too, it would prove an obstruction to the manager who wished to organize the county's governmental program according to the staff and resources he possessed. In the Short Form of County Managership Plan, therefore, sections and phrases are omitted which deal with departments, and the manager is given, exclusive of functions belonging to the elected officers, power to organize structure and staff as he deems necessary.

This form also weakens the elective office of sheriff and gives the manager more discretion in the appointment of a state's attorney. The manager may employ a sheriff and state's attorney from an adjoining county to perform the functions that both counties require; and compensation for the joint office-holder is to be determined by the officer, the manager, and the commissioners of the two counties affected.

In all other respects, the short form manager plan is identical with the straight manager plan described above.

County Consolidated Office Form. Most novel of the plans created is the County Consolidated Office Form—"a hybrid plan" that embodies principles of both the county board and county commission forms of government, and yet is elastic enough to permit dual county management where adjoining counties are in a position to coöperate. Less revolutionary

than the manager plan, this law was clearly a compromise between the traditional existing set-up and complete administrative reform. More power is given to the county commissioners over administration than they now possess, and certain offices and functions are consolidated.

In addition to the county commissioners, the following officers are retained: "One county auditor, who shall be *ex officio* county judge, *ex officio* register of deeds, and *ex officio* clerk of the district court; one state's attorney, one sheriff, one county treasurer, one county superintendent of schools, one coroner, four justices of the peace, and four constables."[9] These officers are to be appointed by the county board for a term of four years, except that treasurers and sheriffs may not hold office for two consecutive terms. The offices of public administrator and county surveyor are abolished.

At the discretion of the commissioners, the sheriff, the state's attorney, and the county superintendent of schools, "or any one or more such officers of an adjoining county," may be appointed to act as officer for both counties. The officer so appointed, in addition to the salary of his residence county, is to receive from the adjoining county a sum not less than one-half of the salary paid by his county of residence.

Most unique of the changes made are those applying to the office of county auditor. In addition to taking on judicial[10] and new clerical functions, that official is made "the chief administrative officer of the county." All duties of an administrative nature not specifically conferred upon other officers are to be delegated by the county commissioners to the county auditor.

In these three optional government forms, only the County Manager Form and Short Form of County Managership laws have sections dealing with retention of the plans. In both laws, the question of reverting to the old form may, after four years have elapsed, be raised by a petition of 35 per cent of the county electors. If 55 per cent of the votes cast are opposed to retaining the plan, the counties revert to the plan in force at the time when the new optional form was adopted. Provision is made under the manager law to enable county officers to file nominations which are to be voted upon at the same time that the election is held.

Governmental Reform Commission. As one surveys the opportunities now open to North Dakota counties to refurbish their governmental forms, it may well be contended that the list is still incomplete. It was with

[9] *Laws of North Dakota*, 1941, ch. 130, sec. 3.

[10] The North Dakota law has no special provisions for the officer who acts in the capacity of county judge. There is, however, some question whether the office of judge can be so combined with that of county auditor, since Art. 4, Sec. 110, of the constitution specifically provides for the position of county judge. This section was not included in the constitutional amendment.

this in mind that the legislature created a Governmental Survey Commission to study further the organization and administration of state and local agencies. Composed of the governor and a member of each house, the commission is authorized to make any recommendations looking toward further simplification of the structures of government, consolidation of functional activities, and internal administrative reform. From the viewpoint of county and local government, this means that the commission may recommend any additional optional forms of government, or abolition or amendment of the plans already set up. Inasmuch as an executive secretary and an appropriation of $26,000 are provided for the commission, further reform may be witnessed in the next legislative session.

Perspective. Many would argue that governmental reorganization is but a feeble solution for economic problems such as in the last decade have beset a state like North Dakota. To the indictment that reorganization is mere structural change, and at best a superficial economic sedative, is added the charge that the "philosophy of reorganization" puts a false emphasis upon the ability of a local government to effect readjustments within its economy. It is maintained that a local jurisdiction will have neither economic nor political independence so long as it is financially dependent upon a higher level of government. The argument is well bolstered by the example of the rural North Dakota county, where tax delinquent lands and stupendous grants of financial assistance are evidence of more than governmental and administrative deficiencies.

The only permanent solution for a county in this economic category, proponents of "fundamental economic analysis" maintain, is land-use change which will result in a redirection of the area's economy. This will inevitably necessitate changes in private land management practices, require new land control measures by the levels of government, and entail a new attitude toward the use of lands in public ownership. A land-use control policy will have to be formulated which will most wisely promote the utilization of the area's resources in relation to the national economy and the local social scene.

But before one can talk of a wise land-use policy and measures of land-use control, attention must inevitably be focussed upon the institutional structure that exists. The number of governmental units and special districts affected, the officers in charge, the police and eminent domain powers exercised, and the governmental services to be extended—all bear direct relationship to a sound land-management policy. And the same applies, in varying degree, whether the problem is one of reorganizing the tax system, changing road and school district organization, or redirecting public welfare services. Merely to create new agencies, to add new functions, and to devise new administrative procedures, without

reorientation of the institutional and organizational framework, leads but to a frustrated reform.

This is not to deny that the type of government must stem from, and will inevitably be determined by, the economy of the area. For North Dakota, where in most sections direct relationship with the land is the all-important economic factor, the institution must be adjusted so as best to utilize the area's resources. But such readjustment must be related to the over-all governing process. For that reason, institutional changes are often necessary to balance properly the operation of the economic process.

Viewed from this framework of reference, government reorganization becomes more than mere super-structural change. The operation of federal and state activities at the local level, and the growth of new social responsibilities within the community area, force local jurisdictions to clothe themselves with adequate governmental powers. For the North Dakota county, the optional governing device may well prove the stepping stone to further reform.

ERNEST ENGELBERT.

Bureau of Agricultural Economics,
U. S. Department of Agriculture.

Freedom of Public Meeting in England Since 1914. To refute the maxim *silent leges inter arma* is one of the modern challenges to a democracy at war. It is usually recognized that when a state is at war many of the rights of personal liberty normally enjoyed by its citizens must be limited to prevent interference with the prosecution of hostilities. In international conflicts having an ideological basis, such limitations, if too severe, produce a somewhat embarrassing dilemma for a democratic state. The requirements of total war may necessitate at home some of the very objectionable features of government which are to be overthrown elsewhere; yet to be too lenient with dissident groups can well be disastrous. At all events, the government hesitates so to act as to invite its citizens to ask: "To what purpose is a war in defense of democracy if it begins by ending the very liberties which a people are asked to defend against external aggression?" Nevertheless, war conditions are not alone responsible for altered conceptions of personal rights. Internal developments in peace-time may also create a need for changes in such rules; the law cannot remain constant when the conditions upon which it is based are being transformed. Within a twenty-five-year period in English history, two major wars, as well as a series of domestic emergencies, have produced conditions sufficiently serious to arouse substantial sentiment favoring restrictions on civil liberties. At the same time, however, other equally determined groups, whose position is strengthened by the increased popularity of democratic ideals, have sought to combat such restrictions. The events of the period examined show the nature and the result of this conflict.

Freedom of public meeting in England, as in Continental countries, has long been viewed as a right necessary to full individual participation in political affairs, and, for all practical purposes, as indispensable to its twin, freedom of speech. For minority groups or others without the means of controlling, or access to, the press, the radio, and the cinema, it presents almost the sole method of public expression of opinion. Freedom of public meeting in England reached its apogee after the turn of the present century. The law protecting this liberty as it then existed—on the eve of the first World War—may be outlined briefly.

The matter rests, of course, upon the common law with an admixture of statutory provisions. Speaking strictly, such law knows no *right* of public meeting upon a public thoroughfare or common, but is, in effect, merely the freedom of individuals to assemble with others provided they do not infringe the law. Thus, the legality of any meeting depends upon the conditions under which it is held. The major limitations restricting the right originate in the necessity of maintaining public order. Riot, rout, and unlawful assembly, *i.e.*, a meeting at which a breach of the peace

is likely to occur, are illegal under the common law. Statutes further prohibit seditious meetings, certain gatherings in the vicinity of the Houses of Parliament, unauthorized military drilling, and the obstruction of traffic, public buildings, and other places of public resort. In other cases, the presumption in pre-war days was in favor of the legality of assembly, and the greatest latitude was permitted to minority groups, whether or not their views met much public acceptance.[1]

The outbreak of war in 1914 found the government with no clear idea of what restraints upon civil rights future hostilities might require. To permit flexibility in the regulation of such matters, and to enable the government to act with dispatch as emergencies arose, Parliament authorized the executive, under the various Defense of the Realm Acts, to issue orders-in-council regulating the customary liberty of the subject with a view to promoting the public safety and the defense of the realm.[2] Under this authority, several regulations were issued affecting public meetings. Where there was reason to suspect that an assembly of persons would give rise to grave disorder, or cause undue demands upon the police or the military forces, or that any procession would conduce to a breach of the peace or promote disaffection, the Home Secretary or an official authorized by him could prohibit such a meeting or procession. If a meeting were held in contravention of such a prohibition, it became lawful to take such steps as were necessary to disperse it. The Home Secretary or the Army Council had power to prohibit the taking part in any exercise or drill of a military nature, or any organization for such a purpose, by persons other than members of the armed forces of the Crown. The military authorities were given power to authorize in writing a police constable or other person to attend any meeting or assembly at which an offense against the regulations might occur.[3]

The powers given the executive were used primarily to deal with anti-conscription and pacifist meetings. In January, 1916, the Home Secretary told the House of Commons that meetings which were limited to opposing the Military Service Bill, to advocating its repeal if enacted, or to opposing any extension of compulsory service, would not be liable to suppression. If there were any violence, however, or incitement to violence or to illegal action, or if the law were transgressed in any way, the object for which the meeting was held would not entitle its participants to any special consideration.[4]

[1] General surveys of the law of public meeting may be found in A. V. Dicey, *Introduction to the Study of the Law of the Constitution*, 9th ed. by E. C. S. Wade; A. B. Keith, *The Constitution of England from Queen Victoria to George VI*, Vol. II; E. C. S. Wade and G. G. Phillips, *Constitutional Law*, 2nd ed.

[2] 4 & 5 Geo. V, c. 29; 4 & 5 Geo. V, c. 63; 5 & 6 Geo. V, c. 8.

[3] *Defense of the Realm Manual* (1918), 91, 95, and 185.

[4] 78 H.C. Deb. 5s., 15.

Shortly before Easter Sunday, 1916, the Union of Democratic Control, the No-Conscription Fellowship, the Stop-the-War Committee, and a few other organizations planned to hold a demonstration in Trafalgar Square to advocate the opening of negotiations for peace. The Commissioner of Police determined that the meeting was likely to give rise to disorder, because of hostile opinion in London, and the Home Secretary issued an order prohibiting it. Two of the principal speakers at the proposed meeting were later arrested and imprisoned under the Military Service Act, although the prohibition was supposedly accepted without objection.[5] In October of the same year, the Home Secretary told the Commons that he had received applications from seven localities for power to prohibit meetings on the ground that serious disturbances were apprehended. He stated that he found in no case sufficient evidence to indicate that such would be the result, and that no orders were issued. He added that five of the meetings were not held anyway; the promoters either abandoned them or failed to obtain the use of a meeting place. Up to that time, the power to prohibit meetings was used only in the case of the proposed demonstration in Trafalgar Square.[6] In November, meetings were held in Cardiff and Merthyr Tydfil to propose an immediate peace, and without government interference, although the one at Cardiff was broken up by other persons.[7] On July 14, 1918, a pacifist demonstration was scheduled for Hyde Park. A demonstration of sympathy with France was also organized for the same day and place by the Alsace-Lorraine League. According to the Home Secretary, since the demonstration in honor of the French would draw large crowds of soldiers and others to the park that day, the pacifist meeting had to be prohibited as likely to cause grave disorder.[8] It will be seen from the few cases that arose that the government did not interfere extensively with public meetings during the first World War. Experience proved them not a threat to efficient prosecution of the war; besides, private individuals sometimes succeeded in preventing unpopular gatherings, after which no official action remained to be taken.

At the end of the war, the Defense of the Realm Acts were repealed. The transitional period from war-time to peace-time conditions confronted the government, however, with problems of unpredictable gravity, as labor groups threatened recourse to a general strike in an effort to improve their position. This possibility of domestic disturbances led to passage of the Emergency Powers Act, 1920, a permanent piece of legislation authorizing the government to proclaim an emergency and issue regulations in the event of any concerted action interfering with the

[5] H. Samuel, "War and Liberty," *New Statesman*, Vol. 9, 224 (June 9, 1917); *Ibid.*, 253; 86 H.C. Deb. 5s., 299.

[6] 86 H.C. Deb. 5s., 300–301.

[7] H. Samuel, *loc. cit.*, 224.

[8] 108 H.C. Deb. 5s., 487.

"essentials of life" required by the community.[9] The act was first invoked during the coal strike of 1921, and regulations were issued providing for the prohibition of meetings likely to cause disorder.[10] No general prohibition of meetings resulted, however, and there seems to have been no interference with those peaceably held by trade unions.[11] With the outbreak of the general strike of 1926, the government again issued regulations under the Emergency Powers Act, and assumed powers almost identical with those exercised in 1921.[12] On this occasion the Home Secretary saw fit to prohibit all Communist meetings, on the ground that the party was conducting a campaign against settlement of the strike.[13] The lone Communist member of Parliament was even forbidden to address a meeting in his own constituency.[14] Yet in spite of the considerable powers enjoyed by the government to interfere with public meetings, and the existence of a hostile public attitude toward the strike, it was generally recognized that such legislation was to be applied only during genuine emergencies, and was not to be considered as enlarging the normal executive prerogative.

Depression conditions in 1932 placed an increasing strain on the right of public meeting. With the professed purpose of bringing the condition of the unemployed to public attention, the National Unemployed Workers' Movement, a Communist-inspired organization, began in September to organize "hunger marches" throughout the country. During the winter, numerous disorders occurred, followed by arrests, when police forbade such demonstrations as obstructive of traffic.[15] Several leaders of the movement were imprisoned for inciting the police to disaffection,[16] and two others, who, according to the police, proposed demonstrations likely to violate the Seditious Meetings Act, 1817, were sentenced to two months' imprisonment.[17]

Also arising out of the unrest of the times were two incidents resulting in decisions of the High Court of Justice which placed the control of public meetings increasingly within police discretion. At a meeting held in a private hall, but open to the public, to protest against passage of the Incitement to Disaffection Bill, several police officers insisted on entering and remaining during the proceedings. Although trial evidence showed that no criminal offense or disorder occurred, and that, except for being held under Communist auspices, the meeting was not different from others held for the same purpose, the court sustained the police contention that

[9] 10 & 11 Geo. V, c. 55.
[10] 140 H.C. Deb. 5s., 315–371.
[11] 140 H.C. Deb. 5s., 338.
[12] *Statutory Rules and Orders, 1926*, Emergency Regulations (No. 2).
[13] 199 H.C. Deb. 5s., 2087.
[14] 197 H.C. Deb. 5s., 1808.
[15] 269 H.C. Deb. 5s., 276–277.
[16] *London Times*, Nov. 2, 4, and 9, 1932.
[17] *Ibid.*, Dec. 19, 1932.

seditious speeches would have been made, and that breaches of the peace might have ensued, if the officers had not been present.[18] The second case involved the legality of a police order, the so-called "Trenchard Ban," issued under the authority of the Metropolitan Police Act, 1839, and forbidding all meetings in the vicinity of employment exchanges. A speaker who refused to obey this order was convicted of obstructing the police in the execution of their duty to prevent breaches of the peace, and the conviction was sustained on appeal to the High Court.[19] The effect of the two decisions was thus to give the police, first, the right to be present at any public meeting, and, second, the right to prohibit in advance any meeting or type of meetings at which they believed a breach of the peace might occur.

Fascist groups produced additional controversy over freedom of public meeting as early as 1925, when they began the practice of street demonstrations. In November of that year, a Labor member of the House of Commons called attention to the fact that "Fascist and quasi-military bodies meet regularly for drill and other military exercises," and that they march "through the streets armed, and in a general manner act provocatively toward all who hold opinions different from their own."[20] The government took no action against such groups; indeed, after 1932 a common complaint was that Fascist demonstrations—asserted by their critics to be much more disorderly than those of the Communists—were rarely interfered with by the police.[21] Steps were finally taken in November, 1934, when Sir Oswald Mosley, the leader of the British Union of Fascists, and three of his lieutenants were arrested for assault and riotous assembly following a meeting; but all were acquitted after trial, in spite of the questionable legality of some of their activities.[22] The steadily increasing resort to violence and the display of force in demonstrations and counter-demonstrations of these rival minority groups produced an intolerable situation in London. In October, 1936, the police banned all Fascist marches and meetings in the East End.[23] This step was followed by similar action in several other cities where such meetings had become synonymous with disorder.[24]

To curb extremist doctrines and militarized politics, and to salvage what was left of the old tradition of peaceable public meetings, the government, in November, 1936, introduced the Public Order Bill, in response

[18] Thomas v. Sawkins [1935], 2 K.B. 249.

[19] Duncan v. Jones [1936], 1 K.B. 218. See 314 H.C. Deb. 5s., 1551–1552.

[20] 188 H.C. Deb. 5s., 25.

[21] See, *e.g.*, 273 H.C. Deb. 5s., 1272–1273; *London Times*, Sept. 30, 1933.

[22] *London Times*, Nov. 9, 14, 15, 16, and Dec. 19, 1934. Among those acquitted was William Joyce, later to become Berlin's Lord Haw-Haw.

[23] *Ibid.*, Oct. 5, 1936. [24] *Ibid.*, Oct. 14, 1936.

to demands from all parties in Parliament. All seemed agreed that serious dangers lay in the methods which had been introduced into political life, and that the protection of customary civil liberties might require the sacrifice of a portion of them.[25] Accordingly, the act as passed banned the wearing of political uniforms in public and the organization of associations for the "use or display of physical force in promoting any political object," and contained provisions regulating public meetings. The police were authorized to prohibit all or any class of processions for a period not to exceed three months, and their authority to regulate processions was reaffirmed. The act further increased the punishment for using threatening, abusive, or insulting words or behavior with intent to provoke a breach of the peace.[26] Under this authority, the government thereupon banned all political meetings in the East End of London, renewing the restriction at intervals thereafter.[27] Supporting a statement that very few public meetings were interfered with during the first year in which the Public Order Act was in effect, the Home Secretary reported in December, 1937, that 3,094 Fascist meetings, 4,364 anti-Fascist meetings, and 4,553 meetings of other kinds were held in the metropolitan area. The police asked the promoters of only 20 meetings, out of the total of 12,011, to close down.[28] While the government was not severe in applying its powers to curb meetings, the prohibition of all meetings in the East End of London was criticized as restricting the activities of all political organizations, and not simply those whose gatherings inevitably led to disorder.

International problems rapidly overshadowed such domestic disturbances, and as England drew closer to war in the late summer of 1939, the government was determined not to find itself unprepared for eventualities which might require emergency powers. Protesting hope that "the final catastrophe" might still be averted, the Home Secretary came before the House of Commons on August 24 with a measure to give the government war-time powers to govern by decree.[29] Under the authority of the Emergency Powers (Defense) Act adopted that day, the government was empowered to issue regulations "necessary or expedient for securing the public safety, the defense of the realm, the maintenance of public order, and the efficient prosecution of any war"; and orders in council were first issued on August 25 to effect the act. Among other powers, the Home Secretary was enabled to prohibit or restrict (or to authorize a chief officer of police to do so) assemblies of persons and the use of any premises as places of public resort in order to minimize the risk of loss of life or of injuries as a result of war operations. Constables

[25] 317 H.C. Deb. 5s., 1350–1351, 1442–1444, and 1454.
[26] 1 Edw. VIII & Geo. VI, c. 6.
[27] 325 H.C. Deb. 5s., 848; 326 H.C. Deb. 5s., 1794–1795.
[28] 330 H.C. Deb. 5s., 1283–1284. [29] 351 H.C. Deb. 5s., 63–64.

were authorized to use necessary force to secure compliance with their orders. Potential powers to restrict public meetings were authorized by making it an offense wilfully to obstruct any official or other authorized person in the performance of his functions in connection with the defense of the realm or the securing of public safety.[30]

Additional regulations were issued on September 1, 1939, giving war-time authority over public demonstrations, processions, and meetings. The Home Secretary was empowered to issue an order respecting any area directing that between specified hours no persons should be out of doors except under authority of a written permit. He also might prohibit the display in public of any flag, banner, or emblem likely to cause a disturbance of the public order or promote disaffection. In addition, that official could prohibit in any area public processions, or any class of them, if satisfied that they were likely to cause serious public disorder or promote disaffection; and he could delegate the power to prohibit meetings to any mayor, justice of the peace, or chief officer of police.[31]

These regulations were brought before the House of Commons for debate on October 31, 1939. While bitter criticism was directed at certain provisions allowing extensive governmental interference with personal liberty, and at others providing drastic potential powers to control the press, the regulations relating to public meetings were not found so objectionable.[32] Nevertheless, revised regulations were issued on November 23 to satisfy parliamentary criticisms, and as a result the Home Secretary could no longer delegate to local officials his power to ban meetings or processions likely to cause disorder, but was required to exercise such discretion personally.[33]

The limits to the freedom of public meeting during war-time continue to be tested by three groups—pacifists, Fascists, and Communists. Members of Parliament have frequently criticized some of the pacifist organizations, in particular the Peace Pledge Union, which seeks, its critics have asserted, to induce men to avoid military service by claiming to be conscientious objectors.[34] One such complaint was answered, and a demand for action against the organization was refused, when the Home Secretary stated in February, 1940: "The declared policy of this House is that there should not be any unnecessary interference with freedom, and my duty is to see whether any particular activity infringes the law."[35] Later, the Under-Secretary of State for War informed the House

[30] Emergency Powers (Defense) Act, 1939, 2 & 3 Geo. VI, c. 62; *Emergency Powers (Defense) Regulations, 1939.* S. R. & O., No. 927.

[31] *Ibid.* [32] 352 H.C. Deb. 5s., 1827–1900.

[33] *Emergency Powers (Defense) Regulations, 1939.* S. R. & O., No. 1681.

[34] 357 H.C. Deb. 5s., 1505; 358 H.C. Deb. 5s., 1366.

[35] 357 H.C. Deb. 5s., 2245.

that there was no ground for apprehension that such meetings obstructed the mobilization of man-power or the determination of the people to prosecute the war effectively, and that "if any special measures should be called for I am sure that the House would desire to avoid so far as possible interference with the liberty of public meetings."[36] Meetings of pacifist organizations continue to be held, although on several occasions persons have been arrested for obstruction in connection with the distribution of pacifist literature, and others have been sentenced to imprisonment for indulging in insulting behavior with intent to provoke a breach of the peace.[37]

For a number of months after the war started, Fascist groups likewise enjoyed wide freedom to hold public meetings and to disseminate their literature.[38] Indeed, at the height of the battle for France, in May, 1940, police used truncheons on a hostile crowd which gathered at a meeting held by the Fascist candidate for the Middleton and Prestwich division by-election. Sir Oswald Mosley's attempt to speak was ineffective, even with a police escort.[39] For all practical purposes, the B.U.F. was dissolved as an organization when the Home Secretary, in July, 1940, issued an order under the defense regulations forbidding that organization to summon or advertise a meeting of its members, and prohibiting persons to attend such a meeting or to invite support for, or make any contribution to, the organization.[40]

No such general prohibition against Communist-sponsored meetings has as yet been undertaken, although certain meetings held in London fell under the ban issued in September, 1940, prohibiting all public processions of a political nature anywhere within the metropolitan police district.[41] A so-called "People's Congress," convoked in January, 1941, with Communist assistance and attended by some 2,000 delegates from leftist trade union locals, felt sufficiently secure to advocate the establishment of a "people's government" and making peace with the enemy.[42]

[36] 358 H.C. Deb. 5s., 1209.

[37] *London Times*, March 4, 5, and 11, and June 3, 1940.

[38] 360 H.C. Deb. 5s., 354–355.

[39] *London Times*, May 20, 1940. One test of the actual Fascist sentiment in the division was afforded by the ensuing election. The Conservative candidate received 32,036 votes against 418 for his sole opponent, the Fascist candidate (*London Times*, May 23, 1940). Mosley and several dozen other persons were interned immediately after this election, under the defense regulations which authorized the "detention of members of organizations which have had associations with the enemy or are subject to foreign influence or control, and which may be used for purposes prejudicial to the national security." *London Times*, May 24 and 25, 1940.

[40] *Ibid.*, July 11, 1940. The Fascist newspaper, *Action*, suspended publication in June, 1940.

[41] *Ibid.*, Sept. 4, 1940.

[42] *New York Times*, Jan. 19, 1941. Shortly after this, the government suppressed the *Daily Worker*, the Communist newspaper, and the *Week*, a leftist weekly news-

It has been suggested that the government exercised restraint in dealing with the Communists as one aspect of its attempt to improve relations with Soviet Russia. Certainly, such a motive would be reasonable now that an Anglo-Soviet alliance has been contracted. Yet analogous reasoning offers no justification for the similar forbearance toward the Fascist groups which continued many months after the war began. It is not difficult to accept as sincere, in this connection, the Home Secretary's statement of the government's attitude toward dissident minorities: "The test of subversive activity is not the propagation of views which are out of harmony with the national war policy, but whether the liberty allowed by our laws is being abused by persons seeking to attain political ends by illegal and unconstitutional means."[43] A more reasonable attitude toward unpopular minorities who have not hesitated to impede the successful prosecution of a life-and-death struggle could hardly be expected. Even those who take the most pessimistic view of the chances for survival of customary civil liberties may well be encouraged by the profession of so generous an ideal, notwithstanding an occasional breach in its observance.

In sum, the events of the past twenty-five years have reduced the area of freedom permitted to public meetings. It is not very satisfying to explain that the major limitations have been brought about by activities of anti-democratic organizations which have introduced force and violence into contests for political power. But this is probably near the truth. New political methods having nothing in common with the English political system which the old rules of civil liberty sought to serve have required greater individual restriction. Not only do the police have larger discretion in banning meetings, and in sending observers to take evidence at those held, but they may entirely prohibit certain types of meetings. It has become the established practice in war or domestic emergency to place control of public meetings in the hands of the executive with broad decree-making powers. To be sure, such authority is exercised in full view of a vigilant Parliament,[44] and to date the government has never made the drastic use of its powers which the letter of the law would permit. Nevertheless, a certain uneasiness arises in some quarters from the fear that in time of possible domestic difficulty following the present war the government may make extreme use of its extensive authority. Whether the

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letter, for deliberately fostering a spirit of defeatism (*New York Times*, Jan. 23, 1941). This action was approved in the House of Commons by a vote of 297 to 11 (*New York Times*, Jan. 29, 1941). [43] 358 H.C. Deb. 5s., 558.

[44] A recent illustration of the Commons' opportunity to air grievances is found in the debate on the annual renewal of the Emergency Powers (Defense) Act, 1939, held on July 23, 1941 (373 H.C. Deb. 5s., 941–1024). Criticisms were aimed almost exclusively at the procedures in detaining fifth columnists; no objections to the restrictions on public meetings were made.

earlier generous concessions to individual freedom can survive is one of the questions that await settlement in a post-war world.

DELL G. HITCHNER.

Coe College.

British By-Elections in War-Time. "The cardinal factors of British democracy," writes W. I. Jennings in *The British Constitution*, "are that the character of the British government depends essentially on the results of the last general election, that there must be a general election at least once every five years . . . and that the electors have a choice exercised freely and secretly between rival candidates advocating rival policies." For more than two years the British government has had to meet the challenge of a war crisis which threatens the very existence of British democracy. And war, it is commonplace to say, changes everything. The mandate, whatever it was, of the last general election was given in 1935, in days which, though they may still be dear to some, are certainly dead days beyond recall. Like the Parliament of 1911, the present Parliament has had its life prolonged beyond the maximum of five years. There have been no by-elections, with major rival candidates advocating rival policies; for, soon after the declaration of war, the chief whips of the three major political parties in the House of Commons signed an agreement providing for an electoral truce covering by-elections.

The agreement was formally arranged on September 26, 1939, at a time when four by-elections were pending. It reads: "We jointly agree, as representing the Conservative, Labour, and Liberal parties, as follows:—Not to nominate candidates for parliamentary vacancies that now exist, or may occur, against the candidate nominated by the party holding the seat at the time of the vacancy occurring. The agreement shall hold good during the War or until determined on notice given by any one of the three parties signatories hereto."

Clearly, this is an electoral truce. It was severely criticized, however, as being in effect a political truce. The *New Statesman and Nation*, for example, censured the Labour leadership for denying itself the opportunity of winning public opinion. Confining pressure to the House of Commons, it said, was mere "shadow boxing." In January, Mr. Attlee emphatically repeated that no political truce existed. No illusions about opposition sentiment could be entertained, he said. Socialist objectives had to be kept in sight and the Administration criticized—but without thereby benefiting Adolf Hitler. Mr. Attlee then pointed out the practical disadvantages which explained the Labour party's adhesion to the agreement.

This explanation was more fully expressed the following month by the party executive committee. An act of Parliament which prohibited the

publishing of new registers of electors and additions to absent voters' lists during the war resulted practically in the disfranchisement of large groups of the working classes, which were contributing most of the men in the services. In addition, it was said, votes were lost because of evacuation and migration toward armament factories. Campaigners were occupied in overtime, A.R.P., and other war service. Printing costs were rising; few halls were available for meetings. And in case of air raids and blackouts, electioneering would be almost impossible.

Nevertheless criticism continued, the *New Statesman* calling the truce merely an immediate tactical advantage which sacrificed possible long-run gains. Meanwhile there was developing an uneasiness among Conservatives about the amount of Socialist propaganda. And on April 4, a Conservative party meeting was presented with a resolution declaring, in part, that "the present truce between political parties should not be confined to by-elections" and asking an end of "party feeling." Further proposals of this sort were obviated the following month with the advent of Winston Churchill and the formation of a new government. "There is now a truly National Government with the whole of the nation behind it," said *Labour* editorially. On May 21, Mr. Churchill could announce to Parliament that the £2,000 salary for the Opposition Leader would be held "in abeyance."

I

During the first two years of the truce, from September 26, 1939, through September 26, 1941, there was an unusually large number of by-elections.[1] Professor Pollock has reported an average of 16 or 17 a year between wars, with a maximum of 26 in 1937.[2] In 1940, however, there were 39 by-elections; and in the two years, 67. Part of the explanation lies in the causes of vacancies. In comparison with Pollock's 21-year period, the proportion due to resignation increased by one-half, partly, it appears, because of the war. More than half of the first dozen members to resign had for some time planned not to run again or had been ill, and it is not surprising that, once the war began and Parliament's life was extended, they should soon resign their seats.

An additional, voluntary resignation was that of the first M.P. since 1815 to be serving in the army and arrested by a court-martial. The war directly caused seven other vacancies. Seven Conservative members were killed while in active service. The number of by-elections would have been even larger had not a bill been passed in March, 1941, soon after the

[1] *The London Times* is the main source.

[2] See J. K. Pollock, "British By-Elections Between the Wars," in this REVIEW, Vol. 35, pp. 519–528 (June, 1941); and J. C. Sparks, "British By-Elections: What Do They Prove?," *ibid.*, Vol. 34, pp. 97–104 (Feb., 1940).

appointment of the new High Commissioner to Canada, permitting members sent abroad "for the duration" to retain their seats. Seats were retained also when the Prime Minister, under the Disqualification (Temporary Provisions) Act, certified to the House that certain members had been appointed to positions "in the public interest for . . . the prosecution of the present war."

II

Of more interest are the significant features of the 22 by-elections in which contests were forced by 27 independent or minor party candidates. Almost half of these may be classified as non-Communist, non-Fascist anti-war candidates. Seven others represented the Communist party or the British Union (formerly "of Fascists"), and five offered belligerent formulas. The remaining six were various Independents. Of the 27, 14 lost their £150 deposits by failing to win one-eighth of the vote. Participation ranged from less than one-third to four-fifths, and averaged half of that in 1935.

On October 13, the first contest following the truce was forced by a young pacifist of the "Scottish Anti-War and No-Conscription League" in a clearly border-line constituency,[3] Clackmannon and East Stirlingshire, and under the most favorable conditions for the peace candidate. He had the additional support of the Peace Pledge Union, the Independent Labour party, and such I.L.P. speakers as Mr. Maxton and Mr. McGovern, both members of Parliament. The campaign was vigorous, and the war or peace issue was sharply drawn. Yet fewer than half of those voting in 1935 went to the polls. The opposition received only slightly more than 1,000 votes, less than the I.L.P. had polled in the last general election; whereas the official Labour candidate received more than Labour had secured in 1935, winning by about 16 to 1. Obviously, with the new member supported by the three major parties, no mandate can be defined. But also obvious is the lack of any surge of opposition to the national policy.

Almost two months later, the first Communist appeared alongside an I.L.P. candidate in the first (in Stretford division of Lancashire) of five three-cornered contests. Again the issue was sharp. The I.L.P. chairman urged "a heavy vote calling for the end of the National Government and its war"; and Mr. Chamberlain, in a letter, stressed the importance of a large majority as "an expression of the national unity." Yet, once the ballots were counted—only half as many as in 1935—to adjudge the election's significance and to assign victory were still difficult. The *Times*' only observation was that the Unionist "even improved on the

[3] References to electoral history are based on elections since 1924 as reported in the *Constitutional Year Book, 1939.*

Unionist majority" of 1935. But who cay say how many of his supporters voted for party, how many for policy? And what can be inferred from abstentions? For he received, on the other hand, less than half of the total Conservative and Labour vote of 1935; and the I.L.P., contesting for the first time in what is a steady Conservative constituency, received more than one-seventh of the votes. The Communist polled less than six per cent of the total.

Two months passed quietly. And then, in an extraordinary period from February 12 to June, 1940, there was, on an average, one by-election every eight days; and 13 of the 17 were contested. We may, first, consider as a group five which were forced by non-Communist, non-Fascist anti-war candidates.

In Central Southwark on February 12, a "Stop the War" advocate received almost one-fifth of the vote, and a third candidate, a "National Independent," received more than one-sixth. But much more significant was the small total vote, little more than 8,000—less than one-fourth of the electorate. For this was the first by-election visibly affected by the war. About thirty per cent of the voters were absent, largely because of evacuation and active service. The very atmosphere, reported the *Times*, was strange. Electors kept asking why the truce, as they understood it, was being violated. Blackouts were frequent and meetings few.

Popular confusion about the truce was more justifiable early in March, when in a border-line constituency (Kettering in Northamptonshire) local Labour and Coöperative individuals nominated a candidate. Their action was repudiated by the Labour party's national executive, and the nominee ran with a "Workers' and Pensioners' Anti-War" label against the official National Conservative, a young second lieutenant who campaigned in uniform. Less than two-fifths of the electorate voted, and the opposition received one-fifth of the ballots. To the winner went fewer than either major candidate had won in 1935.

The next anti-war by-election occurred in North Battersea, a Labour stronghold, and was well described as Gilbertian. Apparently under Communist inspiration, the anti-war front arose at the last moment in the person of the young assistant secretary of the divisional Labour party, who only three days before nominations had signed his opponent's nomination papers. Communists flocked to the constituency to help solicit votes; and the election attracted attention, for in 1924 a Communist had succeeded in winning the seat. Yet, though about a third of the electors were absent, and though the vote was but a third that of 1935, only 791 of almost 11,000 voted "anti-war."

Two weeks later, in the Pollok division of Glasgow, the Labour party's traces were broken, not simply by individuals, but for the first time by a local Labour party. It repudiated the truce by nominating its chairman

and was, in turn, repudiated by the national executive. The contested Unionist seat was considered the safest in Scotland, and as usual the opposition was defeated. But not only did the "unofficial Labourite" lose his deposit; there was also a large proportionate increase over 1935 in the Unionist vote. The next week, western Scotland (East Renfrew) saw another by-election, one forced by the I.L.P. The candidate, the sister of Mr. Maxton, spurned Communist coöperation because of the Finnish war, campaigned on a "stop the war" platform, and won 8,206, or one-fifth, of roughly 42,000 votes.

Four by-elections from February, 1940, to June were contested by the Communist party or the British Union. In the first, more than in any other, all the conditions were present for a genuine test of working-class opposition to the war. The constituency—the Silvertown division of West Ham, in East London—was not only a working-class, industrial area, but more than most it had come in daily contact with the enemy. It was heavily represented in the Army and Navy, and recently a hundred of its sailors had gone down in the *Rawalpindi*. In opposition to the Labourite were the Communist party and also the British Union. In spite of blackouts and other war-time limitations, all the concomitants of a vigorous campaign were early in evidence, and ideological lines were soon drawn. The Labour candidate maintained the issue to be democracy versus dictatorship, and victory over Hitler. The Communist, Harry Pollitt, demanded that the "imperialist war" be stopped. And the Fascist damned it as "a quarrel of British finance." On February 23, 15,460 voters went to the polls, 69 per cent of the 1935 total. Mr. Pollitt received 966 ballots and the Fascist candidate, 151. To consider the results as a referendum on various policies is futile. But as a reflection of the attitude of a certain class to a certain kind of opposition, the verdict was overwhelming.

Twice again the British Union forced contests. In the first, in a consistently Conservative borough (North-East Leeds), its candidate polled 722 of almost 25,000 votes. The second campaign, in an equally strong Conservative constituency (Middleton and Prestwich in Lancashire) was spectacular. Mr. Churchill, who had become prime minister only a few weeks before, called upon all the electors to indicate their support of the National Government by an unusual majority. In opposition, Sir Oswald Mosley himself appeared before several thousands at a meeting marked by "hecklers and flailing fists" and the throwing of stones. On May 22, more than 32,000 voters swamped the Fascist, who received 418 votes. (The British Union was outlawed on July 10.)

Early in June, in Bow and Bromley, of Poplar, the Communists were again active and contested the seat vacated by the death of the veteran George Lansbury. They received 506 of more than 12,000 votes, their lowest score both actually and proportionately during the two years.

In the four-month period under review, there were four other electoral challenges, which cannot be classified as either anti-war or, possibly, pseudo-anti-war. The first is in a class apart—the by-election for Cambridge University, in which an "Independent Conservative" defeated nine to five, in a small vote, an "Independent Progressive," who also supported the war but expressed a distrust of the Chamberlain government. Nor was the war an issue later in Argyllshire, contested by the Scottish Nationalist party. The winning candidate, maintaining that he was fighting for the rights of one small nation as Great Britain was fighting for those of many, received more than a third of what was the largest vote in all of the by-elections as compared with voting in 1935.[4] This was followed by a by-election notable in spite of the fact that the war was not an issue and that participation was proportionately the second smallest in the two-year period. For in North Newcastle, early in June, Unionist disunity resulted in victory, more than seven to three, for an unofficial Unionist candidate—the only electoral "upset" in two years of the truce. The winner was chairman of the Northern Area Conservative Association and had been denied the nomination when the official candidate, the son of the aged retiring member, was adopted by the divisional Conservative Association. The fourth challenge (in North Croydon), by a "freak" candidate who supported the Government but urged compulsory national service for men between eighteen and fifty-four, was deplored by Prime Minister Churchill as "a wholly irrelevant by-election." Participation was 29 per cent that of 1935, the lowest of all the by-elections; and the challenger received only one-eleventh of the vote.

This last by-election is of interest as heralding a number of contests beginning eleven months later and forced by advocates of a more vigorous war. In the long interval there were 28 by-elections but only two were contested, the first on December 7, 1940, in Northampton, by a local butcher who described himself as "a Christian Pacifist and Stop-the-War candidate." Mr. Churchill again deplored the forcing of a contest, but called upon the electors to grasp "a chance to show their earnest zeal." The pacifist was defeated by more than fourteen to one, and Churchill hailed the victory. However, only 35 per cent of the number voting in 1935 went to the polls, and the official candidate in this clearly doubtful constituency received almost one-third less than either major candidate in 1935. The second contest during the interval, in Dumbartonshire, was forced by the fourth and last Communist candidate during the two years and arose at the end of February, 1941, five weeks after the suppression of the *Daily Worker*. For the first time, a Communist deposit was saved,

[4] The Ministry of Mines allowed the candidates (who were permitted to enter a large, military "restricted area") extra petrol supplies because the constituency was a scattered one.

the candidate actually receiving 3,862 of almost 26,000 votes.

Early in May, there arose a challenge which had been rather common during the first World War. Of the nine by-elections in the five months before September 26, 1941, five were contested by candidates of the "Bomb Berlin" variety. The first, using this slogan, was nominated especially to oppose the pacifist secretary of the Peace Pledge Union. The by-election may have passed as simply another freakish expression, but it was infused with new life by Mr. Churchill, who in opposing its misleading use as a vehicle for minor protest sought to use it as a demonstration of confidence. In a letter to the official candidate, an active officer, he exhorted the electors not to stay home because the seat was safe, but to deliver an overwhelming majority showing "confidence in me and my colleagues from all political parties." "Every vote counts," he said, for "every enemy of Britain will look to the voting in King's Norton to see if there is any weakening in the national resolve." In response, more than 23,000 voters turned out, and each minor candidate received less than 1,700 ballots. The Conservative candidate's vote was large. But that it was no larger than the Conservative vote in 1935 may be due in part to the issuance of an election address by the local Labour party stating: "We are unable to support either of the candidates appearing before you." The party's national executive, denying that this attitude was "one of complete neutrality," as its spokesmen claimed, but rather a suggestion to vote against the official candidate, suspended the local party.

The next two by-elections marked the reappearance of Mr. Noel Pemberton-Billing, who had won a seat in the House of Commons in 1916 with the slogan "Bomb Berlin," this time with the slogan "Win the War in the Air." In both, Mr. Churchill appealed for an unusual majority, and during the second campaign he censured "political privateers who sail from constituency to constituency flying fantastic flags of their own designing." The first by-election was in a strongly Conservative district (Hornsey), and in spite of Sir Archibald Sinclair's urging of Liberals to vote for the official Unionist, only 21 per cent of the electorate went to the polls. Pemberton-Billing received 4,146 of the roughly 15,000 votes cast. A month later, in a somewhat doubtful district (Dudley), participation was closer to average for war-time, and he secured 4,869, or nearly half of roughly 11,000 votes.

These instances of a narrowing of the Government's majority were not isolated. For on September 25, in another Conservative district (Scarborough-Whitby), an "Independent Democrat," the editor of *Reveille*, a newspaper for the armed services, received 8,086 of roughly 20,000 votes. And on the next day (in The Wrekin, of Shropshire), Pemberton-Billing easily saved his deposit for the third time. Of almost 19,000 votes, he received 7,121 and, together with an "Independent," left the official

opponent a majority of only 2,825. As the two-year period ended, both of these opposition candidates were planning to contest one of the four pending by-elections.

Considered as a group, and in view of their occurrence together, these five by-elections indicated, if not some restlessness and dissatisfaction with the conduct of the war, at least that the major parties would have to take more seriously the challenge of Independents and "freaks." The electoral results might be accounted for, according to the *Times*, by the "apathy" of constituencies, which resent contests during a truce and are not easily persuaded to vote, and by "the glibness of Independents in capitalizing every war-time grievance with not too much sense of responsibility." The Government, it was noted, was proceeding to remedy genuine grievances; and the major political parties were considering new methods of joint appeal to electors to record their support for Government candidates. At the same time, one must not overlook the possibility that, in conjunction with other signs, these last by-elections may really reflect, aside from the new Communist clamor,[5] a new aggressive sentiment contrary to much of the minor sentiment early in the war.

THOMAS KATRITSES.

Columbia University.

[5] A fifth Communist anti-war candidate withdrew on June 22, "so that everybody could single-mindedly concentrate on achieving the victory of Britain and the Soviet Union over Fascism."

INTERNATIONAL AFFAIRS

The Trend of European Nationalism—the Language Aspect. In recent years, public opinion in the democratic countries has become increasingly aware of the dangers inherent in the unlimited competition of a host of rival nationalistic movements and sovereign nation-states. Having recognized it as a danger to be overcome, many liberal thinkers, like the experts of the Royal Institute of International Affairs, or Mr. Max Lerner,[1] are prone to assume that the trend toward nationalistic disintegration has already reached its peak. Many consequent suggestions of policy are based on the assumption that nationalism is declining, or about to decline.

The following inquiry into some of the evidence as to the actual direction of the general trend of European nationalism will be limited in two respects. First, it will be concerned at this stage with the surface trend alone, irrespective of its causes. Second, the evidence examined will be limited primarily to the language aspect of nationalism, that is, to the assimilation or diversification of national languages. It should be borne in mind, however, that the other major elements of nationality, such as political and educational institutions, literature, territory, group loyalties, and nationalistic movements, and frequently even sovereign states and customs areas, are all closely interconnected with the language factor. There is hardly a national language in all Europe for which there could not also be shown the existence of many of the other political and economic factors of nationality. In different nations, the proportions of these factors may vary; there will be border-line cases. But a view of the evidence over a longer period of years is likely to show how closely the language factor is linked with the rest of the picture.

I

Do Europe's nations tend to coalesce, to become one, and to accept one written language for their intercourse, administration, business, and literature? If so, and if in consequence we have been getting fewer and larger language areas in Europe, then the many political proposals for fewer and larger states would seem to have also the forces of nationalism itself on their side. Evidence of increasing willingness to accept economic competition and political rule from other language groups would point in the same direction. What are the facts?

Throughout European history, we find former common languages splitting up into increasingly different local dialects. But the speakers of these dialects accept economic coördination around the common centers

[1] *Nationalism; A Report by a Study Group of Members of the Royal Institute of International Affairs* (London, 1939), p. 336; Max Lerner, "The War as Revolution," *The Nation*, Vol. 151, pp. 68–71 (July 27, 1940).

of market, town, and capital city. They accept political subordination under a wider territorial administration, and social subordination under an upper class around a central élite. In the process they accept as their common standard language above their dialects the speech of the capital or of the economically central region, as spoken by the élite. Usually it is accepted at first in written intercourse; later, given sufficient intensity of education and daily communication, it becomes the standard for the daily speech of the nation.

Villages become subordinated to towns and states. Dialects become subordinated to standard languages. But what of the number of economic centers, what of the number of social and political élites, what of the number of standard languages themselves?

In the hundred years between 1800 and 1900, the number of full-fledged national languages in Europe increased from 16 to 30, that is, at a faster rate than in any of the preceding ten centuries.[2] And in the 37 years between 1900 and 1937, Europe's standard languages further multiplied to 53, adding almost as many to their number as in the entire thousand years that went before.[3]

[2] In 950 A.D., there were in Europe six full-fledged written languages, i.e., languages with a grammar, literature, and some employment in business and public administration—Latin, Greek, Hebrew, Arabic, Anglo-Saxon, and Church Slavonic (Old Bulgarian). See G. Sarton, *Introduction to the History of Science* (Baltimore, 1927–1931), Vol. I. In 1250 A.D., two languages, Anglo-Saxon and Provençal, had become submerged, but there were 17 languages flourishing in Europe, as noted in Sarton's survey: Latin, Greek, Hebrew, Arabic, Church Slavonic, High German, Low German, French, Icelandic, Russian, Spanish, Catalan, Portuguese, Italian, Norwegian, Swedish, and Danish. Sarton, *op. cit.*, Vols. II and III. (" . . . a deeper study would introduce other languages; I speak only of those [outstanding] . . . by their exceptional vitality or by the creation of masterpieces," *ibid.*, Vol. II, p. 293). In 1800, five of the languages of 1250 had become submerged or relatively inactive: Hebrew, Arabic, Low German, Catalan, and Norwegian; and a survey published in 1809 showed only 16 languages flourishing in Europe: Greek, Church Slavonic, German, French, Icelandic, Russian, Spanish, Portuguese, Italian, Swedish, Danish, English, Dutch, Polish, Magyar, and Turkish (Osmanli). J. Ch. Adelung—J. S. Vater, *Mithridates* (Berlin, 1809). In 1900, a century later, 15 of the above-mentioned languages were flourishing, Church Slavonic being the only one to have dropped out; and to their number had been added Welsh, Flemish, Norwegian (Riksmaal and Landsmaal), Finnish, Rumanian, Czech, Slovak, Serbo-Croatian (a common literary standard language with two sharply different alphabets, traditions, literatures, and loyalties), Slovene, Bulgarian, Ukrainian, Yiddish, Esthonian, and Latvian. See F. N. Finck, *Die Sprachstämme des Erdkreises* (Leipzig, 1911); A. Meillet, *Les Langues du Monde* (Paris, 1925); W. L. Graff, *Language and Languages* (New York and London, 1932); L. Bloomfield, *Language* (New York, 1933); and works on the individual languages.

[3] In 1937, all of the thirty national languages of 1900 were flourishing, and still more were joining their number with new literatures and educational or political institutions or movements: Lithuanian, Irish, Scottish Gaelic, Basque, Breton,

The 15 nations that awakened to national language and literature between 1800 and 1900 comprise today a population of more than 80 millions.[4] Eleven of them have since attained, at one time or another, some form of statehood: Bulgarians, Czechs, Croats, Esthonians, Finns, Latvians, Norwegians, Rumanians, Serbs, Slovaks, and Ukrainians. Two others, the Slovenes and the Flemings, have reached a degree of political autonomy; and the last two of the 15, the Welsh in Great Britain and the Yiddish-speaking Jews in the U. S. S. R., have considerable autonomy in matters of language and education. Among all of these the sense of group loyalty has found expression in nationalistic or patriotic movements.

The 23 smaller nations which awakened between 1900 and 1937 contain today a population of more than 30 millions.[5] Seven of these reached some form of statehood between 1900 and 1941: Albanians, Irish, Byelo-Russians, Karelians, Moldavians—the three last-named only as "Union Republics" within the federal framework of the U. S. S. R., whose constitution grants them, theoretically, the "right to secede"—and the Georgians and Lithuanians, who each formed a sovereign state before becoming Soviet "Union Republics." Of the 13 remaining nationalities, nine have formed administrative units on a national, linguistic basis with various degrees of political self-government within the European part of the U. S. S. R.: the Bashkirs, Chuvashs, Cheremiss, Mordvins, Ossetes, Samoyeds, Syryens, Tartars, and Votiaks.[6] The process was not dissimilar in the rest of Europe; Lusatian Serbs enjoyed some autonomy in education in their own language in Germany from 1918 to 1937; Gaelic-speaking Scotsmen found increased rights for their language in education as well as a number of administrative concessions to the special problems and to the separate identity of Scotland stressed by the Scottish nationalists; Basques and Catalans ob-

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Catalan, Rheto-Romance, Lusatian Serb, Albanian, Hebrew (modern), Karelian, Byelo-Russian, Moldavian, Georgian, Ossete, Bashkir, Cheremiss, Chuvash, Mordvin, Samoyede, Syryen (Komi), Tartar, and Votiak. Sources as above. The data for 1900 and 1937 have been checked with the survey of Biblical translations in E. M. North, *The Book of a Thousand Tongues* (New York and London, 1938). Nationalities in the European part of the U. S. S. R. of 1937 are listed in accordance with the language map of Europe by A. Drexel and R. Wimpissinger in their *Atlas Linguisticus* (Innsbruck, 1934). Exclusion of the territory of European Russia from consideration would not materially change the picture of the basic trend.

[As philologists disagree in many cases as to what to count as standard languages and what as dialects, the different surveys have been taken in conjunction and their testimony verified, wherever possible, against evidence from sources within the disputed language group.]

[4] Sources as above, and current statistics. [5] Sources as above.

[6] See note 3, second paragraph, above. On the Moldavian language and nationality, see *Eleven Union Socialist Soviet Republics* (Moscow, 1938), p. 33 (in Russian); and H. Kloss, "Sprachtabellen," in *Vierteljahresschrift für Politik und Geschichte*, Vol. 1 (7) (Berlin, 1929), pp. 111–112.

tained full political autonomy under the Spanish Republic and played an important part in the Spanish civil war; Rheto-Romans found their ancient language introduced on a basis of full equality into the administration of Switzerland; Hebrew-speaking Jews found a large measure of economic and political autonomy in Palestine, and many of them believe that this will eventually change the position of the "Jewish nationality" all over Europe; a million Bretons in France saw the revival of their old language with a new nationalistic movement in their midst.

Most of these nationalistic movements, new states, and new autonomous districts have grown up from already existing language groups, among people who were already speaking some old vernacular in their families and in their simple, mostly rural, life. These now, on becoming commercialized, industrialized, and literate, are elevating their idiom to the status of a written standard language with its own grammar, literature, and claims for social recognition. If this process should continue, we may expect, with the spread of literacy and industrialization, the rise of nationalistic movements all over the world. In order to visualize the possible scope of this process alone, one should recall the estimate that there are more than 2,700 spoken idioms or dialects in the world,[7] while not more than half of mankind is as yet literate.[8]

II

If this were the entire story of the rise of modern nationalism, we could then at least also expect that this increase of new nationalistic movements would eventually stop, first in Europe and later in the rest of the world, as the supply of historically inherited language groups became exhausted. Actually, however, the rise of standard national languages is a more complex process, and no simple limitation upon the number of existing dialects can be hoped for.

First of all, a standard language is not merely a standardized single local idiom. It may be regarded rather as a combination of several idioms in that it is usually a language accepted as a common standard by the speakers of several different dialects. It may be a combination of several different elements of speech, such as the Greek Koiné. It may be the language of the capital or central city or central region around which some social, economic, cultural, and often, though not always, political integration has taken place, and where an élite has been assembled, whose

[7] "The actual number of languages recently computed by officers of the French Academy is put at 2,796." *World Almanac*, since 1929. A more recent survey by E. Kieckers lists almost 3,000 living languages. *Die Sprachstämme der Erde* (Heidelberg, 1931), pp. 237–257.

[8] F. C. Laubach, *Toward a Literate World* (Columbia University Press, 1938); quoted in North, *op. cit.*, p. 18, note 3.

composition is to some extent reflected in the language.[9] English, the language of London; Danish, the language of Copenhagen; French, the language of Paris, the Ile de France, and the Champagne; standard Italian, the language of educated Florence—all these show that the national standard language is itself the result of economic, cultural, and political coöperation and affiliation.

These elements of affiliation, in their turn, are subject to change. In the twelfth and thirteenth centuries, the Netherlands were united with Cologne and Lower Germany by a chain of wholly fluid transitions in their written languages. Netherlands writers, such as Jacob van Maerlant and Heinrich von Veldeke, have their place in both Dutch and German literature. In the sixteenth century, the Netherlands broke away from the rest of the German dialect area, and the speech of Brabant was regarded as standard. In the seventeenth century, with the decline of Flanders and the rise of the northern provinces, the speech of Amsterdam became the standard for what is today modern Dutch. At present, the speakers of the Lower Saxon, Plattdeutsch vernacular of Gelderland, of Frisian in Friesland, and of genuine Lower Frankish, Dutch dialects are all united in using Dutch as the language of school and church and as the medium of their common national allegiance. On the other hand, the continuous area of Germanic dialects, mutually intelligible from village to village without a break, is now split into three standard languages, Flemish,[10] Dutch, and German, with another offshoot in a fourth national language, Afrikaans, across the sea. It was not at first these languages that made history; it was history that made these languages.

The acceptance of a common national language contains an element of choice. Macedonians, speaking an intermediate range of dialects, may equally well accept integration into the Serb or into the Bulgarian nation, or else hold out for a nationhood of their own.[11] Slovaks may break away from their common written language with the Czechs, as they did in

[9] While standard languages are evolved in the capital cities, they are not necessarily dominated by the original dialect of the metropolitan region. Rather, they will be based on the speech of the new urban population, and particularly of its most important social group, even if its members have been recruited from all over the country. O. Jespersen, *Mankind, Nation, and Individual from a Linguistic Point of View* (Oslo and Cambridge, Mass., 1925), p. 65.

[10] "Gradually the language of the Dutch Republic began to be considered in Belgium as that of the enemy and the heretic, and an opposition was created between Dutch and Flemish. . . ." G. Duflou, "The Flemish Language," in *Encyclopedia Britannica* (14th ed., 1937), Vol. IX, p. 371.

[11] " . . . the movement for an autonomous Macedonia . . . tends to wean away from the main national body one-fifth of the total Bulgarian population and set it up as a separate nation." S. Christowe, in *An American Symposium on the Macedonian Problem* (Indianapolis, Ind., 1941), p. 21.

1845; later, they may join them in a state based on the idea of a common Czechoslovak nationality, as they did in 1918; and again later their nationalists may protest against attempts of any of their own Slovak countrymen to reduce the relatively small grammatical differences between the two mutually intelligible languages, as they did in the disputes about the new Slovak grammar in 1932.[12]

There is, then, room for new changes and new combinations among the local idioms and ways of speech integrated into the national languages of any given time. Serb and Croat, Russian and Ukrainian, Danish and Norwegian, may be brought closer together or forced farther apart. Provençal, Frisian, Plattdeutsch, and Schwyzerdütsch have all had their literary renaissance in the nineteenth century and form today potential instruments for future new political alignments in case such should come to be desired by strong groups among the populations involved. Thus the elevation of Schwyzerdütsch to a political language of equal rank with standard German was actually suggested in March, 1938, in the Swiss legislature. In considering the possibilities of future national differentiation, we should bear in mind, therefore, not only the present number of dialects and of their present groupings under national standard languages, but also their possible new combinations in times of exceptional change and stress.

III

In the second place, we find a new development since the middle of the nineteenth century, and particularly strongly in the twentieth: a tendency to increase deliberately the differences between kindred, and particularly between neighboring, languages. The rise of the Slavic written languages and literatures in the first half of the nineteenth century had been characterized by the ideas, if not of Pan-Slavism, at any rate of "Slavic mutuality," of a broad give-and-take among Slavic languages and literatures. Less than a century later, in 1937, the Czech philologist, M. Weingart, found that the old give-and-take of the romantic period had been replaced by "an evident distaste for the influence of the other Slavic literary language, particularly of the neighboring one. Thus the Ukrainian language is struggling against Polonisms as well as Russisms, Slovene against Serbo-Croatisms, and . . . Slovak against Bohemisms, not infrequently only imaginary ones. There is in this a visible turning away from the ideas of romanticism and the direct opposite of what then was demanded by Jan Kollar."[13]

Under favorable circumstances, the new trend has gone even farther. Considerable population groups begin here and there to mark themselves

[12] C. A. Macartney, *Hungary and Her Successors* (London, 1937), pp. 88, 127.

[13] M. Weingart *et al.*, *Slovanské spisovné jazyky v době přítomné* (Prague, 1937), p. 5.

off more sharply from their neighbors by accepting *new languages* which they themselves never spoke, but which are derived from some language used at one time by some of their actual or reputed ancestors. Scottish and Irish nationalists struggling with their unfamiliar varieties of modern Gaelic;[14] young Zionist Jews diligently learning modern Hebrew; Norwegian patriots changing their historical written language, Dano-Norwegian, for a mixture of Norse peasant dialects, Landsmaal or Folkemaal[15] —all these are examples of a new trend to increase consciously, indeed even to *create*, new linguistic differences by an act of the political will. It can be done; the languages of whole communities, in time of whole nations, can be changed to suit the desire for nationalistic separation. That seems to be the evidence of Palestine, Norway, and Ireland.

The development of modern philology and modern education has made it possible to revive, modernize, and utilize any ancient language sufficiently known to history, if it should so suit any group's desire for separate identity. At the same time, new ways of speech are formed through the changing and splitting up of old languages into new accents and idioms under the influence of time and geographic separation. With the possibility of changing alignments and combinations between all of these elements, the national languages of today appear not only as a cause, but also as a result, of national differentiation. So far as the linguistic factor is concerned, the nationalistic disintegration of mankind may go on with hardly any limit so long as the economic possibilities and the political desires for it remain effective.

IV

For each of the 53 European language groups, we found some form of political organization or movement. Further powerful nationalistic loyalties have developed in Europe which are not bound to a separate language of their own: one long before 1800, the Swiss; a second in the nineteenth century, the Belgian; a third at the beginning of the twentieth century, the Macedonian;[16] and a fourth, a border-line case, the nationalism of those

[14] Cf. the section on Scotland in A. J. Aucamp, *Bilingual Education and Nationalism* (Pretoria, 1926); also M. C. Brogan, "Linguistic Nationalism in Eire," in *Review of Politics*, Vol. 3, pp. 225–242 (1941).

[15] "It does not often happen that a language form created by conscious deliberation and planning wins the warm support and widespread acceptance which has fallen to the lot of New Norse, the creation of Ivar Aasen." E. I. Haugen, "The Origin and Early History of the New Norse Movement in Norway," repr. from *Publications of the Modern Language Association*, Vol. 48, No. 2, p. 558.

[16] The Macedonian movement calls for the support of "all Macedonians regardless of nationalities, religion, sex, or political convictions . . . for the establishment of Macedonia as an independent Republic within her geographical and economic boundaries." Cf. Ch. Anastasoff, *The Tragic Peninsula; A History of the Macedonian Movement for Independence since 1878* (St. Louis, 1938), pp. 308–310.

Scottish nationalists whose loyalties are attached to Lowland Scots.[17] Non-linguistic nationalistic organizations claim members from among the speakers of four languages in Switzerland, of two languages in Belgium, from members of the whole kaleidoscopic language map of Macedonia. In all these cases, there are at least two loyalties open to the members of many language groups. The Bulgar-speaking Macedonian may follow the Macedonian IMRO or the Bulgarian government; there have been Flemish separatists and Belgian patriots among the Flemish-speaking Belgians, often in intense conflict during the first World War and ever since; there are regionalistic Bretons and Provençals who are ardent French patriots—and there are those who were accused of separatism;[18] there are patriotic, and there are Pan-German, Swiss in German-speaking Switzerland; and in Austria, Chancellor Engelbert Dollfuss died in 1934 for what he conceived to be his patriotic duty to Austrian independence and the "Austrian spiritual character," while the Austrian storm-trooper who killed him went to the gallows for what he had been taught was his duty to Greater Germany. The enumeration is by no means complete. More hopeful features for a possible solution are to be found in that British loyalty which today unites the overwhelming majority of Englishmen, Welshmen, and Scotsmen. But elsewhere there is a considerable list of cases where within the same communities of language the loyalties of nationalism are in intense conflict on both sides, demonstrating their disintegrating power.

V

The growth of linguistic diversity in Europe from 16 languages in 1800 to 30 in 1900 and to 53 in 1937 has been paralleled to some extent since 1871 by the growth in the number of modern sovereign states in Europe from 15 in 1871 to 21 in 1914 and to 29 in 1937,[19] as well as by the steady rise in the height of the tariff walls and other economic controls separating their national economies from each other. So far, the second World War has shown little indication of a reversal of the trend. The great European powers have been careful to reckon with the vitality of nationalistic feelings, trying to utilize them wherever practicable. By the spring of 1941, Hitler's armies had created two new states, Slovakia and Croatia, and had tried for a time to foster a movement for a third new state among the Bretons in France.[20] The Soviet government had set up, largely along

[17] W. A. Craigie *et al.*, *The Scottish Tongue* (London, 1924), pp. 3–46.

[18] P. Pansier, *Histoire de la Langue Provençale à Avignon* (Avignon, 1927), Vol. IV, pp. viii–ix.

[19] F. Martin (ed.), *The Statesman's Year-Book, 1871* (London, 1871), pp. v–ix; also *1914*, pp. xix–xxix; and *1937*, pp. ix–xiii.

[20] *New York Times*, July 14, 1940, p. 21: 1–3; July 26, p. 3: 7; July 27, p. 6: 3.

linguistic lines, two new "Union Republics," the Finnish-Karelian and the Moldavian.[21] Iceland, under British occupation, dropped her last tie of personal union with Denmark in order to emerge in full legal sovereignty. For the Allied nations in particular, the liberation of small nations has become both a major war aim and an important political weapon.

So far as the language factor is concerned, the bulk of the evidence shows for the years from 1800 to 1941 a steady increase in the diversity and strength of nationalistic feeling. In the long run, the peaceful unification of Europe may have to be brought about against this very current. To deal with it democratically and constructively, our understanding of the functioning of nationalism, already advanced by the pioneering work of scientists like Carleton J. Hayes and Hans Kohn, and of statesmen like Dr. Eduard Beneš and the late T. G. Masaryk, will have to be further developed and extended.

KARL W. DEUTSCH.

Wallingford, Conn.

[21] A representative of still another European nationality—the 54th—spoke at the "All-Slav Conference" in Moscow on Aug. 10 and 11, 1941. According to the report, he represented 400,000 Slonzaks or Lakhs, a Slav people on the borders of Czech and Polish Silesia. *The Slavic Peoples Against Hitler* (New York, 1941), pp. 20–21.

NEWS AND NOTES

PERSONAL AND MISCELLANEOUS

Compiled by the Managing Editor

As reconstituted under the chairmanship of Howard White (Miami University), the American Political Science Association's Committee on the Social Studies consists for the current year of Roscoe L. Ashley (Pasadena Junior College), Robert H. Connery (Catholic University of America), Russell M. Cooper (Cornell College), Henrietta Fernitz (Chicago Teachers College), Samuel R. Harrell (National Foundation for Education), O. Garfield Jones (University of Toledo), David W. Knepper (Mississippi State College for Women), and Harrison C. Thomas (Board of Education, Brooklyn, New York). With Charles S. Hyneman (U. S. Bureau of the Budget) as chairman, the Committee on War-time Services includes Merle Fainsod (Office of Price Administration), Ernest S. Griffith (Library of Congress), William Jones (University of Oregon), Robert D. Leigh (National Resources Planning Board), Kirk H. Porter (Iowa State University), and Herman Walker, Jr. (U. S. Department of Agriculture). To the list of members of the Committee on Research, as announced in the April issue of the REVIEW, should be added the name of Robert D. Leigh.

President Anderson has reappointed last year's committee to consider the amendment or revision of the constitution and by-laws of the American Political Science Association. Suggestions or proposals from any member of the Association will be welcomed, and should be sent to Professor Robert E. Cushman, Cornell University, chairman.

Professor Harvey Walker, of Ohio State University, has been elected to, and has accepted, the new office of assistant secretary-treasurer of the American Political Science Association. Professor Walker has recently been promoted to the rank of Major in the U. S. Army, and continues to be stationed at Columbus, Ohio, as Assistant Finance Officer in the Army.

At the University of Illinois, the seventh annual Edmund J. James Lecture was delivered on March 31 by Professor Charles E. Merriam, of the University of Chicago, on the subject of "Post-War Planning."

During Yale University's new summer term, Professors Grayson L. Kirk, of Columbia University, and E. E. Schattschneider, of Wesleyan University, will be visiting lecturers, the former giving the lectures in the introductory course in American government, the latter offering a course in American political parties.

Professor Harvey C. Mansfield, of Yale University, has taken a position as administrative officer of the Division of Consumers' Durable Goods of the Office of Price Administration in Washington. He has been granted leave of absence from Yale.

Professor Lindsay Rogers, of Columbia University, has become assistant director of the International Labor Office, whose headquarters are now in Montreal. Professor Rogers is the second American to be appointed to this post, the first having been Mr. John G. Winant, who became assistant director in 1935 and director in 1939.

Dr. Marshall E. Dimock, of the U. S. Department of Justice, has been appointed director of the Recruitment and Manning Organization of the War Shipping Administration. This new organization is charged with responsibility for recruiting a supply of American seamen adequate to keep pace with the ship-building program, and to provide pools of seamen and officers for both American and United Nations ships.

At the annual dinner of the American Philosophical Society, on April 25, the Henry M. Phillips prize ($1,500) in the science and philosophy of jurisprudence was awarded to Professor Edward S. Corwin, of Princeton University, with a citation specially mentioning Professor Corwin's recent book, *The President: Office and Powers*. This was the sixth award since the prize was originally established in 1888.

On April 16, Professor Clarence A. Berdahl, of the University of Illinois, lectured at Augustana College, Rock Island, Ill., on the subject of "The League of Nations and the Failure of International Coöperation, 1919–39."

Professor A. Whitney Griswold will be on leave from Yale University during the academic year 1942–43 in order to hold a Guggenheim fellowship for the study of the political significance of American agriculture—especially a study of the influence of agrarianism on the history, political institutions, and national economic policies of the United States.

Dr. Charles C. Rohfing, chairman of the political science department at the University of Pennsylvania, has been appointed chairman of the defense housing committee of Delaware county, Pa.

Dr. Bennett M. Rich, of the University of Pennsylvania, has accepted a first lieutenant's commission in the Army and is attached to the Office of the Provost Marshal in Washington, D. C.

At Purdue University, Dr. J. William Robinson has been advanced to the rank of associate professor of political science.

Professor Fritz Morstein Marx, of Queens College, served as visiting lecturer at Yale University during the past half-year, giving a course in public administration.

Ohio State University has extended for a second year Dr. William Ballis's leave of absence for work with the government. Dr. James T. Watkins, IV, has been reappointed in his place to continue the Far Eastern courses in 1942–43.

After Dr. Hugo Kelso, of Denison University, was called to active service as a reserve officer during the past spring, his work was taken over by Dr. H. Schuyler Foster, Jr., of Ohio State University.

Professor Emmette S. Redford has been given leave of absence from the University of Texas to accept the position of regional price executive in the Office of Price Administration at Dallas, Texas, and Dr. H. Malcolm Macdonald has been called to active duty as an ensign in the United States Navy.

Professor Merle Fainsod, of Harvard University, is serving as director of the Retail Division of the Office of Price Administration.

Professor Wilson Godshall, of Lehigh University, is one of a group of civilian lecturers in the orientation program of the War Department, and in this capacity is addressing army posts and camps on the basic factors in the Far Eastern situation.

Dr. John J. George, of Rutgers University, now completing his third year as township councilman, and his first year as mayor, will seek reëlection this fall. He continues in charge of the finance and police departments, and is actively engaged in the local zoning and public works program.

Mr. Oliver J. Lissitzyn, research fellow at the Council on Foreign Relations in 1939–40, is now serving on the staff of the Coördinator of Information. A volume by him has recently been published under the title of *International Air Transport and National Policy*.

Professor Charles Fairman, on leave from Stanford University, is attached to the Office of the Judge Advocate General in Washington.

Mr. Joseph P. Pollard, who recently completed a series of lectures on "American Political Ideals" at Colorado College, has been appointed assistant professor of political science at the University of Denver.

At Massachusetts State College, Dr. Charles J. Rohr has been advanced from assistant to associate professor.

Dr. Albert P. Ludwig has been appointed chairman of the department

of social studies and history at the Eastern Washington College of Education, Cheney, Washington, with the rank of full professor. He succeeds the late Dr. David G. Cobb.

Dr. Valentine Jobst, assistant professor at the University of Illinois, has been commissioned as first lieutenant in the Army Air Corps and called to active duty.

Professor Allan Saunders, recently of Pomona College, has accepted a position at Amherst College, effective with the 1942 summer term.

Dr. Irving Segal, instructor at the University of Pennsylvania, has been named legal adviser to the Philadelphia Office of the Price Administrator.

Dr. James J. Anderson has resigned as technical associate of the Institute of Local and State Government at the University of Pennsylvania to accept a commission in the Army.

Dr. Nicholas Domas, formerly of the University of Chicago, served during the past semester as acting professor of political science at the College of William and Mary.

At Iowa State College, Professor John A. Vieg is president of the local chapter of Federal Union, an organization concerned with promoting the "Union Now" program of Clarence Streit.

Professor Francis O. Wilcox, of the University of Louisville, is at present holding a post in the Office of the Coördinator of Inter-American Affairs.

Dr. Maxim von Brevern, executive secretary of the Bureau of International Relations at the University of Washington, has been advanced to an associate professorship.

Professor Cullen B. Gosnell, of Emory University, will exchange with Professor Linden A. Mander, of the University of Washington, for the summer of 1942.

The Eighteenth Institute of the Norman Wait Harris Memorial Foundation in International Relations was held at the University of Chicago, June 20–25, on the subject of "The Near East: Problems and Prospects." Professor Philip W. Ireland served as director.

The staff of the Institute of Local and State Government at the University of Pennsylvania has participated in the preparation of four training manuals for civilian defense personnel. Three were prepared especially for Philadelphia—for wardens, auxiliary police, and auxiliary firemen—and one is a basic text to be used throughout the state.

Several members of the staff of the Institute of Local and State Government at the University of Pennsylvania have been named to Civilian Defense posts: Dr. Stephen B. Sweeney, as associate director of training for the state; Dr. James C. Charlesworth, as procedure analyst and director of training for Philadelphia; Dr. William H. Young, as assistant director of training for Philadelphia; and Mr. John T. Hermansen, as supervisor of training in the state organization.

The Secretary-Treasurer of the American Political Science Association has some remaining copies of the panel portraits of the past presidents of the Association as published in the REVIEW for December, 1938. These portraits, printed on one page, twenty-four inches long and twelve inches wide, will be mailed to any address on receipt of sixty cents. Address orders to the Secretary-Treasurer, 105 Harris Hall, Evanston, Ill.

The fourth annual meeting of the Pennsylvania Political and Public Administration Association was held in Harrisburg April 24–26. The general theme was "Pennsylvania's Rôle in the War Effort."

The sixteenth annual session of the Model Assembly of the League of Nations was held at Bryn Mawr College March 29–31, with twenty-four colleges participating. Dr. Helen Dwight Reid of Bryn Mawr was chairman of the Intercollegiate Continuation Committee, in charge of the planning and direction of the Assembly. This year's session was devoted to a consideration of the special problems of the transition period between the close of active warfare and the establishment of permanent peace institutions.

Among persons appearing on the program of the fourth annual Public Affairs Conference, held at Elsah, Illinois, May 1–2, under the auspices of the School of Government at Principia College, were Professors William Anderson, of the University of Minnesota, and William Y. Elliott, of Harvard University.

Under the auspices of the Pacific Southwest Academy, of which Professor Raymond G. McKelvey, of Occidental College, is president, a Conference on Planning for Reconstruction was held at the University of Southern California on April 11. Attention was devoted particularly to problems of transition to a peace-time economy in southern California. Coöperation of public agencies in meeting emergency needs of a social and economic nature was discussed by Professor Gilbert G. Lentz, of Occidental College.

During the third meeting of the Ministers of Foreign Relations of the American Republics, held at Rio de Janeiro, January 15–28, 1942, the full official report of the debates and proceedings was printed day by day

by the Brazilian Ministry of Foreign Relations, in Portuguese, under the title: *Diario das sessões*. While these debates and proceedings were intended for the delegations at the meeting and for the information of the governments participating, the size of the edition seems to have been small. It is to be hoped that the Brazilian Ministry of Foreign Relations will make a certain number of sets available for deposit in the principal centers for international studies. It is peculiarly unfortunate that little or no provision has been made for such deposit of the full printed official records of the important Inter-American Conferences by the governments of the Republics in which these Conferences have taken place.

In his fifty-ninth year, Dr. Russell McCulloch Story, president of Claremont Colleges and professor of political science, died suddenly on March 26 from complications induced by overwork. The loss of his inspiring counsel has been felt not only by the federated colleges at Claremont, but by many devoted friends throughout the country. He had extraordinary gifts of leadership: solidity of character, high ideals, sound judgment, genius as a teacher, insight and sympathy in guiding the young; and at the same time a capacity for administration which is rarely found among men of scholarly tastes. Although born in the Middle West and active there for many years, first as a journalist and later as a teacher, he became equally familiar with the Atlantic and Pacific seaboards. Receiving his bachelor's degree at Monmouth, and his doctorate at Harvard, he taught at Clark, Monmouth, Illinois (ten years), Syracuse, and Pomona (thirteen years). It was in 1937 that he began his short, but distinguished, career as president of Claremont Colleges.

The University of Chicago has announced a program of instruction and research in Communications and Public Opinion, commencing with the spring quarter, 1942. The program is directed by a committee of faculty members from various departments under the chairmanship of Professor Robert Redfield, dean of the Division of the Social Sciences. The committee undertakes to initiate and coördinate studies of local communications and local attitudes with reference to problems of public policy. The training program seeks to qualify students (especially women and men deferred under the Selective Service Act) for professional service with federal and other agencies concerned with problems of national morale, analysis of enemy propaganda, the sampling of public opinion, and the social effects of promotional activities. College graduates with basic training in social science and languages may enroll in the summer quarter and any quarter thereafter.

At the request of President Roosevelt, a committee of administrators and scholars has been established to supervise the collection of current

war administration records. As announced by Harold D. Smith, director of the budget, the group—to be known as the Committee on Records of War Administration—will include Professor Arthur Schlesinger, president of the American Historical Association; Dr. Louis Brownlow, president of the American Society for Public Administration; Professor William Anderson, president of the American Political Science Association; and Dr. Waldo G. Leland, director of the American Council of Learned Societies. Dr. Solon Buck, head of the National Archives, will serve on the committee, and the Library of Congress and the Office of Facts and Figures will be represented by Mr. Archibald MacLeish. A small staff of analysts will be directed by Dr. Pendleton Herring, of Harvard University, who has been working on the problem within the Bureau of the Budget since last fall. Lack of information on the administrative problems of the last war and the loss of valuable documents at that time, handicapping the present war administration, are cited among the reasons for the project.

The United States Information Service of the Office of Government Reports (1405 G Street, N.W., Washington, D. C.) has on hand a number of copies of the "United States Government Manual" which will be distributed, free of charge, to all teachers of political science and civics who are interested in receiving copies of the same. Requests should be sent directly to the United States Information Service.

Religion and the State in America. By Evarts B. Greene. (New York: New York University Press. 1941. Pp. 172. $2.75.)

That the issues involved in the relation of religion and the state in this country are by no means dead, and may indeed become once more of vital significance through the expansion of governmental functions, and that an historical examination of these issues may throw light both on conditioning factors and on fundamental principles, are theses fully justifying Professor Greene's book. Unfortunately—though intelligibly, since the work consists of the Anson G. Phelps Lectures on Early American History—the emphasis is more on the making than on the testing of the tradition, and, even as far as the former is concerned, the treatment of the period from the ratification of the Constitution onward is quite inadequate. Moreover, the relationship between making and testing is not entirely clear.

Professor Greene first shows that the Protestant Reformation did not destroy the doctrine of collaboration between church and state, with responsibility on the part of the latter for insuring that men lived in accordance with Christian tenets. It did, however, lead variously to state definition of acceptable belief and social behavior and to religious domination of the state. In the early colonies on this continent, Spanish and French Catholic, as well as Dutch and English Protestant, collaboration was indeed close. Nevertheless, apart from the separatist doctrine and practice of Roger Williams in Rhode Island, other factors made for the growth of toleration in various ways. Home governments as well as proprietors found it to their political and economic interest in terms of population and man-power to attract settlers by more or less liberal policies of tolerance to dissent in the various established religions. Later, and particularly following the Revolution, in terms of natural rights doctrine and deism, disestablishment made gradual headway until the formal separation of church and state was virtually complete, though the developments were not uniform in time or character.

There survived, too, a very general feeling that essentially the nation was in some sense Christian, though freedom of worship or non-worship and full political rights regardless of belief were gradually extended to all. This did not, of course, mean the destruction of social and personal religious intolerance. Nor did separation entirely solve political problems and issues, on the one hand involving church freedom from taxation on grounds of social service, and on the other hand the degree to which the state might in terms of its interests compel citizens in such fields as education, regardless of belief. These and similar problems continued to raise awkward questions in the "twilight zone." Moreover, particularly with

authoritarian churches, with a large number of members, the issue of how far political power through voting or pressure groups might be used to enforce social practices on others of different viewpoint, or to prevent them from enjoying a desired freedom in such matters as birth-control, became of great importance.

Professor Greene believes that the main issues of the present and future turn around the question of education, though he also has something to say concerning religious belief, the conscientious objector, and naturalization, where on the whole he takes the avowedly liberal viewpoint. The first-mentioned problem, he thinks, can be solved by informal compromise and a refusal to push theories to rigid extremes. He is quite correctly afraid of state absolutism, with its lack of regard for religious conscience and moral insight, and he sees in the background the evils of totalitarian destruction of individual freedom. But his emphasis on education, as against other social problems where uniformity may be necessary for effective administration and the furtherance of social welfare, as well as his failure to develop the awkward consequences of religious groups using their political power in terms of their conviction of right to prevent others from enjoying desired freedom and what they deem to be welfare, leads him to underestimate the real difficulties of the future. Statism may be an evil, but religious conscience may at times be used both to hamper necessary social legislation and to deny freedom to those not of particular religious groups. Democratic accommodation, given the continued health of our cherished institutions, can no doubt bring continuous compromises, and may even solve some of the problems which arise. Yet repeated conflicts on ever-changing grounds seem inevitable, and undoubtedly it will prove impossible to avoid either injustices and hardship in governmental treatment of the too nicely scrupulous or social suffering at the hands of those imbued with religious conviction and at times intolerance. But that is the price we pay for the diversities we cherish.

THOMAS I. COOK.

University of Washington.

Dynamic Administration; The Collected Papers of Mary Parker Follett. EDITED BY HENRY C. METCALF AND L. URWICK. (New York: Harper and Brothers. 1942. Pp. 320. $3.50.)

These papers are a valuable supplement to and development of Miss Follett's *The New State*, published in 1918, and *Creative Experience*, published in 1924. *The New State* presented a refreshing contrast to much of the discussion at the time of guild socialist and other functional-group theories, for its author saw the balance that particularistic political attitudes needed in neighborhood group experience. Miss Follett had returned to Boston early in the century after graduate years (following graduation from Radcliffe) at Newnham to share in the discussions of a circle of alert

and creative leaders in education, social work, and industrial relations, had participated in School Center and Minimum Wage Board activities, and reflected, in her theory of politics, that same zeal in relating personal experience and observations to a wide acquaintance with contemporary social theory, psychology, and intellectual pioneering generally that was to mark her work until her death in 1933. Thus she had already noted in 1918 the significance of the proposed Industrial Councils; and in her *Creative Experience* she related the developments in psychology to the problems of human relationships in the politics of government and industry, and was challenging the conception of a raw struggle of pressure groups and interests ending in victory and defeat or compromise by one of a deliberately created agreed solution through the enriching interaction of the participants.

We are fortunate to have her later papers in this country and England (where she spent most of her last years) edited by an American and an English colleague who appreciated the value of her message and the spirit of free inquiry and personal devotion which she brought to her study of human relations. These papers are addressed specifically to problems of administration—organization, coördination, the relations of the parts to one another and to the whole; but they have—and by deliberate intent—a wider application than to business and industry and to administration narrowly conceived. They explore further her valuable ideas of the functional basis of authority and organization, and of the nature of achieving agreed solutions whereby the personality of each participant is enlarged. Each paper is the more effective for its apt use of personal experience, and for the constant insistence upon the need for developing better tools for invention in the social studies. They are for students not only of administration as a special field, but of political theory and politics generally—a much more valuable subject of careful study than more pretentious works. Miss Follett's experiences with industrial and business management and her awareness of the most significant work by scholars in many fields are brought into effective relationship in addresses that are never arrogant or condescending, and are always provocative and rewarding.

The book should be especially valuable to younger political scientists as an illustration of a catholic and eager welcoming of ideas and of experience that leads to fresh thinking.

JOHN M. GAUS.

University of Wisconsin.

The Supreme Court and Judicial Review. BY ROBERT K. CARR. (New York: Farrar and Rinehart, Inc. 1942. Pp. xiv, 304. $1.50 college edition.)

This is the latest volume in Professor Bradley's series on "American Government in Action," and it fully maintains the high standard estab-

lished by its predecessors. The author, discarding the fiction that the Supreme Court, in exercising its function of judicial review, applies strictly legal rules to constitutional questions, emphasizes that it is a political agency sharing the power to govern. While naturally criticizing some of its opinions, he is primarily concerned with explaining the work of the Court, and he succeeds in maintaining an objective attitude.

After preliminary chapters dealing with "The Quest for Certainty" in law, with its attendant difficulties, and "The Struggle for Power" among pressure groups in society, Professor Carr gives an historical account of the origin and establishment of judicial review in our system of government. Accepting Professor Corwin's analysis of the Constitution as both an instrument for the exercise of political power and a symbol of negative restraint upon government, he gives a general discussion of the ways in which the Court has emphasized one or the other aspect. There follows an analysis in greater detail of the Court's interpretations of the commerce and due process of law clauses.

The limitations which the Supreme Court has announced as affecting the scope of judicial review are then examined, and the author emphasizes the vast extension of this power through the interpretation of statutes and in controlling administrative rulings.

Professor Carr recognizes that the development of constitutional law has depended in large measure upon the personalities of the justices who have made it, and he provides an interesting and valuable chapter on "Personality and Judicial Review." He might have added, as foot-notes, references to the discussion of this topic in the Round Table on Public Law in 1925 (in this REVIEW, Vol. 20, pp. 127–134), and to Irving Dilliard's significant analysis of "A Supreme Court Majority?," written after the decision in the New York Minimum Wage Case (*Harper's Magazine*, November, 1936, pp. 598–601).

This volume will be of great assistance to law and college students in courses in constitutional law. Laymen as well as members of the bar will also find it of much aid to a realistic understanding of the operation and significance of judicial review in the development of governmental powers and in the establishment of restrictions upon their exercise.

ISIDOR LOEB.

Washington University.

Party Government. BY E. E. SCHATTSCHNEIDER. (New York: Farrar and Rinehart, Inc. 1942. Pp. vii, 220. $1.25 college edition.)

This book is one of the volumes in the "American Government in Action" Series; in form and in content, it constitutes an appropriate and useful addition to those already published. It is a hard-headed and realis-

tic analysis of certain factors in the American party system. Professor Schattschneider is no dull describer of the multitudinous details in the formal structure and organization of political parties; indeed, certain portions of the book seem designed as an antidote for the more arid commentaries. The treatment is physiological, not anatomical.

There is, first, a brief justification of political parties because of their very substantial contributions as entrepreneurs in the democratization and simplification of a complex governmental and social system. The two principal types of political organization are political parties and pressure groups. A political party is defined as "an organized attempt to get power" (p. 35), e.g., to control the government. To achieve this control, an electoral majority must be secured. Obviously, there is much in the broad field of politics that does not fall under this or any other generalization, but the writer has definitely limited himself to a consideration of the two-party system and to special characteristics which the American party has developed. Chapters IV, V, and VI, comprising approximately one-half of the volume, portray the basic factors in the actual operation of party government. The relatively successful efforts of our parties to adapt themselves to the requirements of a written constitution, a federal form, the separation of powers, geographic sectionalism, the plurality election of the single-member district, and the plebiscitary presidency are cogently presented. The quest for control (power) and for methods producing an automatic majority in elections by domination of the organization over the nominating process and by the elimination of effective third parties is made clear. On all these subjects, the author's interpretations, in the judgment of the reviewer, reveal the consensus of informed opinion that now prevails.

Professor Schattschneider believes that the most significant feature of the American major party is its decentralization. He presents, with keen insight, evidence of this by describing the character of American legislation, particularly congressional behavior, with its emphasis upon local patronage and other petty business. Likewise, the decentralized forces operative in presidential nominations make nearly impossible a competent central party control, or even a desirable degree of stability in the presidential office itself. To the weakness of national (central) leadership and discipline can largely be ascribed the influence of the ubiquitous pressure groups, whose selfish interests prevail over the general welfare because of the lack of centralized party control. Local party organizations and pressure groups are incapable of directing the great interests of the nation, either now or later; so the future of American politics will be determined by whether or not "party government by national parties adequate to the needs of the nation will emerge" (p. 207).

Although no material errors have been noted, a somewhat repetitious

style and the frequent use of the symbols (1), (2), and (3) might well have been avoided.

THOMAS S. BARCLAY.

Stanford University.

American Taxation. By SIDNEY RATNER. (New York: W. W. Norton and Company. Pp. 561. $4.50.)

The main emphasis of this work centers on the conflict between group pressures and the interests of the majority in the long struggle for a federal tax system of a progressive nature. *American Taxation* is not strictly a history of the development of the national tax and fiscal structure, such as Dewey's *Financial History of the United States;* nor yet a detailed examination of the enactment, amendment, and administration of the income tax, as the Blakeys' work on *The Federal Income Tax*. Essentially, it is a penetrating commentary on the development of the federal tax system, dovetailed with concomitant movements influencing the weaving of the social, economic, and political fabric of the country—manifest destiny, populism, the Square Deal, the New Era, and the New Deal. The evolution of the federal tax system dominates the unfolding picture, and attention is always focused on the cleavage between those advocating excises and customs duties, and those, finally prevailing, to whom the income and inheritance taxes were the *sine qua non* of economic justice.

The important part which the exigencies of war finance played in bringing about the introduction of the income and inheritance taxes is stressed. The author points out that but for the end of the War of 1812 in December, 1815, we might at that stage of our history have had an income tax and an inheritance tax; for Secretary of the Treasury Dallas recommended the adoption of both early in that year. Income and inheritance taxes were imposed during the Civil War, the act of June 30, 1864, having three graduations in rate, 5, 7½, and 10 per cent, with the higher rate applicable to incomes over $10,000. The Supreme Court's decision holding the 1894 Income Tax Act unconstitutional was too recent to permit of the enactment of a similar tax during the Spanish-American War, though an inheritance tax was adopted.

About half of the volume is devoted to the period from the repeal of the war income and inheritance taxes, in 1870 and 1872 respectively, to the ratification of the Sixteenth Amendment and the adoption in 1913 of a permanent graduated income tax. The passage of the Income Tax Act of 1894 and its subsequent invalidation by the Supreme Court are the occasion for some illuminating comments on the principal personages concerned. The final stages of the battle to prevent the permanent adoption of the income tax revolve around Senator Aldrich of Rhode Island,

leader of the conservatives in the Senate, and at once the arch-foe of the income tax and arch-priest of the protectionists.

During the first World War, the income, estate, and excess profits taxes were the backbone of our fiscal structure. Not until the first administration of Franklin D. Roosevelt, however, did their effective utilization in peace-time begin. Rates were made sharply progressive, loopholes closed, and a comprehensive campaign begun against immunities enjoyed by public employees, public contractors, and public securities owners. The author might also have noted that in the process the federal income tax base has been broadened four-fold, from 2.3 per cent of the population who paid income tax on 1938 income to the estimated 10 per cent that are paying on 1941 income. It is Professor Ratner's observation that 1913 marked the beginning of a federal tax system based on ability to pay, but that this trend was interrupted between 1934 and 1940, despite the Roosevelt tax reforms, by the sharp increase in federal consumption taxes and by the addition of social security pay-roll taxes. This fact, plus the entrance of the United States into the present war, demand, in the author's opinion, further drastic reforms in the income and estate taxes.

While the whole work is well organized and amply documented, there are several points on which more emphasis might have been laid. For example, the gradual change of viewpoint as to governmental expenditures and the place of government in the national economy might have been synthesized into a short chapter. Again, a bird's-eye view of the national tax structure should not overlook the tax systems of the state and local governments, which in 1940 produced almost twice as much revenue as that of the federal government. While the Colm-Tarasov monograph, used to show the distribution of the national tax burden, includes state and local taxes, it might be pointed out that state tax policy in the last dozen years tended toward general and selective excises, paralleling in a general way the same trend in the federal picture without the compensating feature of highly progressive income and estate taxes.

CHARLES F. CONLON.

Federation of Tax Administrators.

Financing the War. By ROBERT WARREN AND OTHERS. (Philadelphia: The Tax Institute. 1942. Pp. ix, 357. $2.50.)

This is a timely treatment of war finance by eighteen contributors, authorities in their respective fields. The authors are federal government officials, professors of public finance, and representatives from England, Canada, and the field of private business. A realistic approach is indicated in the opening chapters on the function and scope of war finance (Robert Warren) and the implications of federal fiscal policy (Homer Jones). The volume next shifts its emphasis to types of taxes and their application un-

der inflationary war-time conditions. Here the excess profits tax, general sales tax, selective excises, income, and social security taxes are considered. The much debated proposals of forced loans, and of increased social security taxes to offset inflation, are treated by Albert G. Hart. British (Brinley Thomas) and Canadian (William H. Wynne) efforts to control prices and prevent inflation are particularly interesting. Valuable object-lessons concerning our own fiscal policy are suggested from the experience of countries at war longer than the United States.

Avoidance of inflation, or of its disastrous consequences, is the principal objective in any system of war financing. Seven of the authors deal with this aspect of the problem. Borrowing, as a means of financing the war, is treated by Charles C. Abbott and E. Gordon Keith. The adjustments which may be made in easing the impact of defense taxes are given special attention. The possibilities of change in collection methods applicable to income taxes in war-time are presented by Walter Heller. Local taxes and payments in lieu thereof by the federal government are reviewed by Charles P. White. The concluding chapters present views of tariff policies as a source of international friction, and as an influence in post-war reconstruction.

The studies rank with the March, 1941, issue of the *Annals*, and with A. G. Hart and E. D. Allen, *Paying for Defense*, 1941, as among the best of the more extended treatments of war finance. The symposium's permanent value lies in the fact that its articles are broadly conceived and stress principles and policies in addition to applications to specific situations. The volume contains a selected bibliography and an index.

EDWARD W. CARTER.

University of Pennsylvania.

American Highway Policy. By CHARLES L. DEARING. (Washington, D. C.: The Brookings Institution. 1941. Pp. xi, 286. $3.00.)

"This study is the outgrowth of inquiries directed to the Brookings Institution by the Commissioner of Public Roads of the United States Public Roads Administration" (p. v.). Although problems in highway management are raised, the study deals with policies rather than administration. In the words of the author: "The purpose of this study is to formulate the principles which should govern the location of responsibility, the exercise of authority, and the distribution of the financial burden with respect to public roads" (p. 7).

The study divides naturally into four parts: (1) a brief survey of the development of highway policies in Europe, including England, and in the United States (Chaps. I–II); (2) a statement of the policies which have governed highway development in the United States since 1916 (Chaps. III–V); (3) the formulation of policies which should "offer a feasible basis"

for highway management in the United States (Chaps. VI–VII); and (4) a summary of conclusions and recommendations (Chap. VIII). The book carries two appendices: "The Good Roads Movement" (with the collaboration of Adah L. Lee, pp. 219–265), and "Statistical Tables" (pp. 266–278). The study is especially well documented and offers convincing proof of a thorough investigation.

The general value of the study would have been enhanced had Dr. Dearing developed his thesis at greater length and established his principles somewhat more conclusively. Because of the brevity of treatment, the supporting evidence in many cases is limited to a series of fact conclusions. In these cases, the reader, otherwise uninformed, is required to accept or to reject the propositions without sufficient opportunity to balance factors or to weigh the evidence. This weakness is especially evident in the author's summary dismissal of competing principles and theories. For example, in discussing the intra-community type of highway, Dr. Dearing concludes that in such roads the economic value is paramount and that, therefore, they should be locally financed. He recognizes the competing "social value" theory and, without adequate development, dismisses it in favor of the "benefit theory" of taxation.

I do not question the soundness of the scholarship or the sincerity of the author. Nor would I condemn the study as a piece of special pleading. I am, however, troubled by the fact that substantial propositions are summarily dismissed. To return to the illustration used above: Dr. Dearing justifies the assessment of the costs of certain intra-community highways against the community by asserting that they are "land access" roads. Are they not at the same time "population egress" roads? If so, what are their purpose? Who are the beneficiaries? And who should bear the financial burden?

In this and in many other instances, the acceptance of a somewhat different approach would have led to quite different conclusions. The brevity of the present treatment precludes a fair judgment as to whether or not another approach would have been equally acceptable. However, in fairness to the author it must be said that this represents a scientific approach to a difficult problem, and that mere disagreement with specific conclusions does not detract from the value of the study.

HAROLD M. DORR.

University of Michigan.

The National Bituminous Coal Commission. By RALPH HILLIS BAKER. (Baltimore: The Johns Hopkins Press. 1941. Pp. xiv, 356. $3.00, paper; $3.50, cloth.)

When the history of the successes and failures of the New Deal economy is written, Mr. Baker's contribution will serve as an excellent case study.

He has described the administration of a momentous act designed to permit government law to temper economic law. The treatment is primarily from the administrator's point of view. The larger question concerning the desirability of regulation of the coal industry is not discussed. The author takes for granted the necessity of some form of regulation, either private or public.

The coal industry, aptly described as "demoralized," has been a major national problem since the last war. High overhead costs, operator-miner differences, and the increased use of coal substitutes are but a few of the difficulties requiring attention. As in many another industry, the national government passed laws and created administrators with the hope that it might aid the business that controls half of the coal resources of the world.

The regulatory act of 1935, killed by the Carter case, and its successor of 1937, are described in all of their complexity. The objective of the laws was, briefly, to cause a profitable business to appear where one had not existed before, even in prosperous times. That the administrators sometimes found trouble in conjuring up the black magic that the laws demanded occasions little surprise.

The most significant contributions of the treatise lie in the analysis of the trials and tribulations of the Coal Commission. Internal disputes over organization and personnel mar the agency's record. The author's adequate account of the politics within the Commission is indispensable to an understanding of the weaknesses of administrative regulation. Particularly interesting is the position of the Consumer's Counsel, who more frequently than not turns out to be nobody's friend—not even the author's.

A quasi-legislative, quasi-judicial agency (which the Coal Commission was until 1939) can be made or broken by its relations with other government bodies. Jurisdictional disputes have frequently enforced inaction or have caused impaired action by the Coal Commission. In skirmishes with the Interstate Commerce Commission and the State Department, the Commission (now the Coal Division of the Department of the Interior) usually appears in the rôle of counsel for the defense of the coal business. The chapter devoted to inter-agency contacts in price-fixing is admirably done.

Additional sections that add to the thoroughness of this study include discussions of some of the specific problems of price-fixing. Also treated are the constitutional aspects of regulation and some current aspects of the problem of regulation.

The author's conclusions after four years of investigation are cautious. He is not satisfied with the success of the law. He is not happy about the administration of the law. He nevertheless believes that the coal industry and the public have benefited in some ways and that the two-year extension of the act to 1943 is justifiable. His study will find a ready place

among the several investigations of public regulatory agencies made in the last decade.

CLAUDE E. HAWLEY.

University of Florida.

The Newspaper and Society. By GEORGE L. BIRD AND FREDERIC E. MERWIN. (New York: Prentice-Hall, Inc. 1942. Pp. xviii, 627. $4.00.)

The Press in the Contemporary Scene. EDITED BY MALCOLM M. WILLEY AND RALPH D. CASEY. Annals of the American Academy of Political and Social Science, Volume 219. January, 1942. (Philadelphia: American Academy of Political and Social Science. Pp. viii, 222. $2.00.)

One judges from the forewords and tables of contents of these two volumes of selected articles that both grew out of an interest in the new pressures and stresses which encompass the present-day newspapers. Chief among the sources of disturbance is the competition of the radio for news and advertising; and not to be left entirely out of account, the tabloids and the news magazines. Reappraisals of the proper relation of the newspaper to the community have been called for by a number of new developments. Even before the outbreak of the present war, the advent of the "service state" of greatly increased powers and responsibilities had raised in new forms the old problem of freedom of the press; the labor union movement had spread to the editorial room; and the reading public, more keenly appreciative of its part in the formation of public opinion, was insisting that the newspaper perform as a community instrumentality, even though privately owned.

The volume by Messrs. Bird and Merwin is directed at showing the newspaper's function in the "pattern of society," stressing its part in public opinion formation and propaganda dissemination. It contains upwards of two hundred selected writings arranged topically in twenty-eight chapters, each introduced by a note by one of the editors. The range of the field is indicated by a few of the headings: "Concepts of Public Opinion," "Freedom of the Press in the United States," "How and Why News is Suppressed," "The Struggle between Press and Radio," "The Newspaper Guild," and "How the Press Sees the Government." The editors spared no pains to make the selection of authors representative of all aspects of newspaper manufacture and of its relation to the community. Included are the names of thinkers associated with the more philosophical consideration of opinion and the news, as Bryce, Lowell, Giddings, and Lippmann; editors of renown, as William Allen White, Charles Merz, H. L. Mencken, Ralph Pulitzer, and Oswald G. Villard; and a long list of specialists in the various lines of publicity and newspaper production.

The book presents a unity unusual in one compiled from so many

sources, which is largely due to the high type of materials selected and the care with which they are fitted together. While written for college classes, with such aids as lists of questions and extensive reading references, it furnishes for the general reader an excellent presentation of the facts and views relating to the newspaper as an instrumentality of democratic society.

The current volume of the *Annals*, as usual, is a symposium, whose contributors, in this case, are drawn chiefly from teachers of journalism and editors and writers of newspapers and periodicals. The expressed design of the compilers was to depict the rôle which the newspaper plays in the contemporary scene. The twenty-six different articles are grouped under four headings: "The Place of the Press in Modern Life," "The Newspaper Pattern of Today," "The Press and Fields of Special Interest," and "Responsibilities and Reforms." Professor Brucker states the general function of the newspaper to be to give the individual a picture of the world in which he lives, although this at best is bound to be "only a fuzzy approximation of reality"; while Professor Willey resolves the general function into five specific ones: news, editorial background, entertainment, advertising, and encyclopedic. Another contributor, in a carrying-coals-to-Newcastle spirit, suggests that the newspapers meet the further threats from government, the radio, and other adversaries by the organization of an association to promote a more sympathetic attitude on the part of the public! Taken together, the articles by their presentation of facts and views are sufficient to give the lay reader a fair picture of the chief problems besetting the press today.

EARL L. SHOUP.

Western Reserve University.

Print, Radio, and Film in a Democracy. EDITED BY DOUGLAS WAPLES. (Chicago: University of Chicago Press. 1942. Pp. xi, 197. $2.00.)

The administration of mass communications in the public interest in peace or in war is a subject of paramount importance to the public official and to the social scientist. How do different types of communications affect different groups of people? Can these responses be validly tested? What legal or extra-legal controls should be exercised over the monopolies of press, radio, and film? The answers to these and related questions are given in this volume by ten authorities, varying from radio and film research directors to private and public social science analysts. The book's brevity arises from the fact that it is a collection of papers read before an Institute of the Graduate Library School of the University of Chicago in August, 1941. The papers are better integrated than many symposia.

Government policy and mass communication forms the content of Part I. Ernest Kris presents an illuminating analysis of the characteristics

of German "news." News is viewed as a "communiqué" monopolized and singly controlled by the state for purposes of its own advertisement. Convincing examples of a clear-cut "news pattern," Hitler's concepts of propaganda, and "planted news" as a "smoke-screen for military action" are included. By contrast, Kris regards news in a democracy as a "commodity," competitive in nature, and under multiple control.

The next section considers the influence of the press, radio, and film upon public opinion. None of the authors makes extravagant claims regarding the effect of a given channel, and all admit the impact of other forces. Dr. Bernard Berelson presents data on the effects of the press in our country upon the political arguments of the 1940 presidential campaign. His basic technique consists in studying the interrelationship between content analysis, recognition, and agreement. Troublesome variables such as party predispositions and "intensity" and "cruciality" of the argument are also given weight. The reviewer believes that one item, campaign literature, should not have been overlooked in this otherwise seemingly fool-proof analysis of the influence of "print."

In the third part, Professors H. D. Lasswell, H. F. Gosnell, and S. A. Stouffer assay the rôle of the analyst in communications research. Lasswell presents several useful standards for the detection of propaganda characteristically labelled as "presentation," "parallel," "distortion," "distinctiveness," etc., tests. Besides being helpful in noting the effects of propaganda, these analyses are seen as enabling some prediction of the next moves of controllers of totalitarian policies. Gosnell believes, as do a growing number of scholars, that the opinion polls, as now operated, are not an infallible index of sentiment on political issues. His remedies for improved polling procedure deserve consideration. Of opinion studies in general, Stouffer concludes, somewhat pessimistically: " . . . direct research on effects—except in rather specific merchandising situations in market research where techniques closely resembling the controlled experiment have been used—has thus far been disappointing."

Part IV deals with the implications of communications research for the public schools and public library.

An underlying theme of the volume is the necessity for better democratic control of communications. This requires specialists in information, an "élite," to act "as clarifiers of the general public within the areas of mass communication." No common agreement was found as to the status of this "super" organization.

The book is a welcome statement of some of the ideas of pioneers in the field. Moreover, its thumbnail sketches of a score of techniques should inspire further studies.

HUGH A. BONE.

University of Maryland.

Parliament Must be Reformed; A Programme for Democratic Government. By W. Ivor Jennings. (London: Kegan Paul, Trench, Trubner and Company, Ltd. 1941. Pp. vi, 64. 2s. 6d.)

In this booklet, Mr. Jennings presents a program for reform in the British government, after the war, and before an election. Even during the war, he objects to the secret sessions of Parliament. He opposes an election until after peace has been established; and he looks for a return of the two-party system. Some of his proposals will require legislation; others can probably be brought about only in other ways. He urges the need for a redistribution of seats (on account of shifts in population), and the abolition of the occupational franchise which, he states, gives 5,000,000 voters (professional and small business men) who reside in constituencies other than that of their business a double vote. To improve the quality of candidates, he would have the government pay campaign expenses up to £400, and further restrict other expenditures.

Procedure in the House of Commons should be improved by sending most bills for detailed discussion to small expert committees. The power to dissolve Parliament should be restored to the cabinet, instead of being left with the prime minister. The power of the House of Lords to delay public bills should be limited to three months, retaining the limit of one month for finance bills and providing for a joint committee to certify finance bills.

To secure more efficient administration, he advocates a small cabinet, as recommended by the Haldane Committee in 1918, with related departments under a single cabinet member. Promotions in the civil service should favor those with initiative rather than caution. Finally, to improve the quality of members of Parliament, there should be a more active popular interest in political affairs.

These proposals are presented as the most essential needs of the governmental system, and apparently with at least the hope that they will prove acceptable to the existing Parliament. On the basis of his extensive studies of the British constitution, cabinet government, and Parliament, Mr. Jennings has a thorough understanding of the problems involved; and his succinct and well-written program should arouse wide popular interest, which may bring results.

John A. Fairlie.

Ohio State University.

The Philippines; A Study in National Development. By Joseph Ralston Hayden. (New York: The Macmillan Company. 1942. Pp. xxvii, 984. $9.00.)

He who would understand why the Filipinos are fighting so efficiently

with and for the democracies, and are so unitedly against the Japanese, in striking contrast with the other peoples of Malaysia and India, will find the answers thoroughly documented and interestingly presented without equivocation in this *magnum opus* by Professor Hayden.

Every American political scientist has long been proud of the achievement of the fourth president of our Association in writing *The American Commonwealth* and the similar achievement of our fifth president in writing *The Government of England*. We now have reason to be proud of the recent achievement of a former secretary of our Association in writing this study of national development in the Philippines. That his boldness of conception was inspired by the two above-mentioned achievements is clear from the five parts into which he has grouped the thirty-one chapters of his book: Part I, "People and Government"; Part II, "Political Parties and National Leadership"; Part III, "Education and Nationhood"; Part IV, "Some Problems of the Commonwealth"; and, Part V, "External Relations." The appendices include "The Philippine Commonwealth and Independence Law," and "The Constitution of the Philippines."

To insure his competence to maintain this great tradition, Professor Hayden took a longer time than his exemplars (twenty years) to complete his study, and was fortunate in having even better facilities for his research. But this advantage was, perhaps, essential because the oriental tropics contain certain elements more foreign to the author's (and the reader's) traditional ideals and institutions than those with which Bryce and Lowell had to deal. However, it is evident from careful reading that Dr. Hayden had quite as deep a sympathy for the ideals and institutions of the Filipinos as had Bryce for American ideals and institutions.

The fact that during his last (two-year) term of service in the Philippines, Professor Hayden was vice-governor and secretary of public instruction, then acting governor-general for six months, created the danger that his vision as an objective political scientist might be obscured by immediate problems of administration and by the burning personal criticism to which every chief executive is subjected. However, to this reviewer there is only one chapter which suffers from this myopia, and that is Chapter XV, "The Unrepresented Minorities," where undue space is given to the Sakdal uprising. Since neither Bryce nor Lowell was ever chief executive of fifteen million people of a different race in the oriental tropics when a small uprising occurred, we cannot say positively that they would have resisted this temptation slightly to over-emphasize an administrative experience.

The present-day emphasis on administration is given due recognition in this book by four consecutive chapters, IV to VIII, which explain: first, the splendid civil service built up by the American governors-general from 1900 to 1935; second, the civil service provisions of the Common-

wealth constitution of 1935, together with the supporting legislation and executive orders which put these provisions into effect; third, the evolution of a competent corps of professional civil servants under this Filipino-controlled Commonwealth government; and lastly, a detailed outline of the present administrative organization. Two quotations will suffice. "Viewed in the light of its historical development and present characteristics, the Philippine civil service is one of the most successful products of American-Filipino collaboration in the building of the Philippine state" (p. 143). "Although it had assumed its present form before the publication of the report of President Roosevelt's committee (on Administrative Management), the administrative organization of the Philippine government conforms much more closely to the Brownlow plan than does that of the government in Washington even today" (p. 144).

Perhaps the two most interesting chapters are XIII, "Instruments of Liberty," and XIV, "The Politics of Independence," in which the relation of practical politics to the evolution of constitutional forms is revealed with a brilliance that reminds one of Walter Bagehot. For instance, the famous contest in 1921–22 between Manuel Quezon and Sergio Osmeña for political leadership, which most Americans thought was more to the credit of the defeated Osmeña than of the victorious Quezon, did apparently determine that the Philippine Commonwealth constitution of thirteen years later would be constructed upon the American plan of the independent executive favored by Quezon rather than on the English plan of the controlled executive favored by Osmeña (p. 342). This is not the first time that purely personal and momentary clashes for power have determined the basic outlines of a government for the long future.

Many American readers may be disturbed to learn that both the form and the ideals of government in the Philippine Commonweatlth are closer to totalitarianism than to American or British liberalism. President Quezon has said: "The philosophy of *laissez-faire* in our government is dead" (p. 49). Again; "Under our constitution, what is paramount is not individuals; it is the good of the state" (p. 49). Article II, Section 2, of the Philippine constitution reads: "The defense of the state is a prime duty of government, and in the fulfilment of this duty all citizens may be required by law to render personal military or *civil* service." In commenting on this provision before the plebiscite for its adoption, President Quezon said that it was the purpose of the framers of the constitution to "require the personal services of every one of its citizens, both in time of peace and in time of war" (p. 47).

It may also disturb the American reader to learn that under the Commonwealth government since 1936 there has been less local self-government than under the régime of American control before 1936 (Chapter XII, "Increasing Centralization").

About 1924, when American magazines ceased publishing an appreciable number of articles on the Philippines, it was said by one observer that the American public had grown weary of the Philippine problem without having learned anything about it. Professor Hayden has performed a great service, both for political scientists and for Americans generally, by making it possible to achieve an understanding of Philippine problems by a careful perusal of just one book. The reviewer ventures the assertion that all other books to date on the subject were written too early in this development, too fragmentarily or one-sidedly, or were written for the Philippine public and therefore presumed a background which the American reader does not have.

O. GARFIELD JONES.

University of Toledo.

International Rivalry in the Pacific Islands, 1800–1875. By JEAN INGRAM BROOKES. (Berkeley: University of California Press. 1941. Pp. x, 454. $5.00.)

The title of this volume fairly indicates the scope of the book's contents. The "Pacific islands," as defined by the author, are the groups usually included in the terms Polynesia, Micronesia, and Melanesia. The subject is delimited by a choice of dates which brings the narrative to a conclusion at the time when Germany was becoming a serious competitor for colonies in the Pacific, and before Samoa, Hawaii, and the islands of Micronesia actually passed under the control of any of the great colonial powers.

Any study of international conflict in the Pacific requires some attention to commercial and missionary enterprises in that ocean, but these are outside the main theme of the volume and the traders and missionaries appear only as necessary background. Miss Brookes has written a history of diplomatic and political events. To readers familiar with the history of the Pacific islands during the nineteenth century, it will appear that she has subordinated the vital agencies of European and American expansion to concentrate upon the political events which inevitably followed the activities of merchants and missionaries.

The author has organized her narrative chronologically, usually by decades. When individual island groups were the center of particular interest during any decade, she has devoted individual chapters to the course of events in those islands. This organization was facilitated by the shift of the center of conflict from New Zealand to Hawaii and Tahiti before the middle of the century, and to Fiji and Samoa after 1860. The focus of the book is generally centered upon the Pacific, with the result that there is a reasonably clear presentation of the progress of foreign domination in the various archipelagoes, sometimes at the expense of an

equally clear portrayal of the evolution of policy in London, Washington, and Paris.

This is the only recent study of the whole problem of colonial expansion into the Pacific during the nineteenth century. There have been, however, excellent studies of the course of imperialism in some of the archipelagoes, notably with reference to Samoa and Hawaii. The problems of the author, therefore, have been somewhat simplified. The footnotes bear testimony that she has labored in the Record Office in London and in the archives of the State Department in Washington. She did not use the archives in Paris, and she was frankly discouraged by the "imperfectly organized" files in the Division of Naval Records and Library in Washington. There is little utilization of private documents, and there is no evidence that she has consulted the rich resources of the libraries in Australia, New Zealand, and Hawaii. Her research appears to have been more casual than intensive. Information which is not difficult of access in the original sources is quoted from the reports of later officials or from a variety of secondary accounts, both scholarly and popular.

It was perhaps inevitable that this type of research should have led to some errors. These concern minor details, but in the sections dealing with the Hawaiian Islands they are sufficiently numerous to create skepticism in the mind of the critical reader. This is unfortunate, for the errors appear to be the product of carelessness rather than of ignorance, and they do not impair the validity of the general narrative.

The timeliness of the subject and the absence of any other comprehensive study of nineteenth-century imperialism in the Pacific make this a volume doubly welcome. The casualness of much of the research and the all too frequent intrusion of minor errors into the narrative will preclude it from becoming, in any sense, the definitive study of the topic.

HAROLD WHITMAN BRADLEY.

Stanford University.

An Economic Survey of the Pacific Area. Part I: *Population and Land Utilization.* By KARL J. PELZER. (New York: Institute of Pacific Relations. 1941. Pp. xv, 215. $2.00.)

An Economic Survey of the Pacific Area. Part II: *Transportation and Foreign Trade.* By KATRINE R. C. GREENE AND JOSEPH D. PHILLIPS. (New York: Institute of Pacific Relations. 1942. Pp. xiv, 208. $2.00.)

Air Transport in the Pacific Area. By SYDNEY BERNARD SMITH. (New York: Institute of Pacific Relations. 1941. Pp. 120. $1.00).

These three volumes are titles in the Institute of Pacific Relations International Research Series. The first two, which are also included in the Inquiry Series, will be followed by two more to be devoted respectively to

"Industrial Raw Materials" and "The Industrialization of the Western Pacific" (reviewed on p. 590 below). The four are to bring up to date the Institute's invaluable *Economic Handbook of the Pacific Area*, which appeared in 1934. Mr. Smith's work is a report authorized separately by the I. P. R. International Research Committee in 1939. It falls within the Institute's program of subjecting to expert scrutiny potential causes of international friction. The great service of all three volumes is to present in simple and concise form a wealth of material from a great number of public and private sources, many of them in foreign languages and many more not available for use by the average student. In his *Air Transport in the Pacific Area*, Mr. Smith, who is with the Lockheed Corporation, supplements his documentary material with information from confidential sources.

A common pattern of organization is followed in all of these monographs. There is an opening section which discusses matters of general application and presents data for the area as a whole. Sections then follow taking up, in turn, the individual countries. In the volumes of the *Economic Survey*, data are included for China, Japan, Thailand, the U.S.S.R., the U. S., the Dominions of Canada, Australia and New Zealand, and the colonial territories of Manchuria, the Philippines, French Indo-China, British Malaya, and the Dutch East Indies. Omitted from these studies are the relatively insignificant islands of the south Pacific, as well as the highly significant states of Pacific Latin America. The data available for these last are to be collected in a forthcoming monograph. Mr. Smith, by contrast, does include sections for Mexico, Central America, and each of the Pacific seaboard countries of South America. He also departs from the pattern by appending a chapter on the future of air transport.

The two volumes of the *Economic Survey* are essentially works of reference for statistical purposes. Although the introductory section of each is a valuable restatement of the subject in terms of the Pacific area, the body of the monographs consists of tables accompanied by a running commentary. In his population chapter, Mr. Pelzer gives data for such phenomena as trends, distribution, racial composition, and domestic and international migration. The chapter on land utilization and tenure covers crop-lands, pasture, and forests, together with land ownership, tenancy, and exploitation policies. Miss Greene's monograph on *Transport* takes up shipping, railways, highways and motor vehicles, and air lines. After an extended discussion of recent trade controls in the Pacific, Mr. Phillips provides statistics for the volume, content, foreign sources, and foreign markets of the trade of each country.

The presentation of this material does not, and is not intended to, invite systematic perusal. Perhaps therefore such closely printed pages as these are warranted. But it may be asked whether the print, clear as it is,

should not have been larger. A study of many of the tables is very difficult indeed, while the footnotes, where much valuable material is to be found, cannot be comfortably referred to without a reading-glass.

Although *Air Transport in the Pacific Area* follows the general plan of the other monographs, it is intended to be not so much a work of reference as a survey of the growth and present situation of air traffic in the Pacific and in the individual countries which border it. As such, it deals with national control of air lines, the air law, domestic and foreign lines and routes, manufacture of planes, and the complicating influence of international politics. The forecast of future developments given in the final chapter is far from discouraging.

But it is a discouraging impression of human affairs which the three volumes leave with one who, like a reviewer, goes through them systematically. To his mind will come Count Oxenstjerna's dictum as to "the little wisdom with which this world is governed." In the dispassionate language of statistics, there is here painted a picture of cupidity and man's inhumanity to man. It is a composite picture for a Thomas Benton to put to canvas. There is the devastation of the privately-owned forest-lands in this country; there is the serfdom of the tenant-farmers in the Philippines, the expropriation of Korean farmers by the Japanese, the American share-cropper, "successor to the former slaves on the plantations" (Pelzer, p. 197); we see political obstacles placed in the way of the proper development of international aviation; the Smoot-Hawley tariff plays its part in accelerating the plunge into the abyss; there is the inveterate American hostility to the latest arrivals on these shores; and many another damning exhibit is dragged out in view. But perhaps most shocking, because of the unexpected and cruel consequences now developing, is the "strenuous opposition from various vested interests" in Australia to a common gauge in place of the four different gauges which are strangling railway transport in that beleaguered land (Greene, p. 79).

JAMES T. WATKINS IV.

Ohio State University.

Government and Nationalism in Southeast Asia. By RUPERT EMERSON, LENNOX A. MILLS, AND VIRGINIA THOMPSON. (New York; American Council, Institute of Pacific Relations. 1941. Pp. xiii, 242. $2.00.)

Another of the volumes in the Inquiry Series of the Institute of Pacific Relations, this book will rank with the best. It makes no pretense to being an exhaustive treatise on the governments and nationalisms of the varied areas of Southeast Asia, but is a well-written survey of this subject by three competent authors. It is a comparative study, and the authors have attempted to emphasize similarities and differences among the areas in all phases of their discussion. The careful reader will find repetitions in

subject-matter, because the authors did not attempt to avoid them. But since the points of view differ, the result is to enhance, rather than to detract from, the value of the study.

Mr. Emerson's introduction summarizes the recent colonial development of the whole area. He points out that "the typical social-economic structure of the region is that of the native peoples tilling the soil and doing manual labor, the Chinese filling the rôle of the middle class, and the representatives of the imperial Powers forming a small but vitally important upper and directing class" (p. 10). He points out that the area under study has characteristically been poor in capital, and that one of the consequences of the depression has been a tendency toward self-contained economies, with an accompanying encouragement of native enterprise. This fact must certainly be considered in dealing with these areas after the present war. The introductory discussion also emphasizes the fact that under imperial rule "no marked development has been apparent in the economic welfare of the great mass of the people" (p. 13). Mr. Emerson shows clearly the importance of the rise of nationalism in southeast Asia and remarks that nationalist movements have generally been contained within colonial boundaries. He also calls attention to the minority problem, in Malaya for example, a fact most often overlooked in discussions of the area. He believes that the Chinese are the most important minority (actually a majority in parts of Malaya), with the Indians next. The attitudes of Burmese, Malays, Filipinos, and Indonesians toward these two groups and the problems arising therefrom are discussed by each of the three authors.

The second part of the study, by Lennox A. Mills, deals with government in the Philippines, Burma, British Malaya, Hong Kong, the Netherlands Indies, Indo-China, Taiwan (Formosa), and Thailand. Like the other authors of this work, Professor Mills makes constant comparisons in discussing administration, taxation, public works, public education, and other governmental functions. These comparisons are most stimulating. Professor Mills has some things to say about proposals for providing equal opportunity for trade, investment, and access to raw materials that should give pause to those who glibly pass off these phrases as solutions for the post-war economy of the areas concerned. His survey gives a clear picture of governmental structure and problems in each of the areas noted above.

In her discussion of comparative nationalisms in southeast Asia, Miss Thompson points out that the influence of the culture and political ideology of the West has been a more potent influence on native leaders than that exerted by such movements as Pan-Islamism or Pan-Asianism—a conclusion in which Mr. Emerson seems to concur. Miss Thompson ably presents some basic conclusions regarding nationalism in this large co-

lonial area, and then proceeds to discuss nationalist movements in the Philippines, Burma, British Malaya, the Netherlands Indies, French Indo-China, and Thailand. She concludes that native nationalism has been a "forced growth," penetrating most deeply among native peoples where common language and pride of race are unifying factors. "But," she states, "from the viewpoint of these countries, as individual units, nationalism has proved a disruptive force. It has made each racial group more self-conscious, more prone to assert itself at the expense of other groups, and either tends toward a disastrous break-up of the present mosaic by some vigilant outsider playing upon this grave weakness in the body politic and social, or leads toward the forced assimilation of the weaker minorities by the most powerfully placed group" (p. 144).

Anyone interested in the war and post-war problems of Southeast Asia will find much information and many stimulating conclusions in this book.

WILLIAM C. JOHNSTONE, JR.

George Washington University.

The Panama Canal in Peace and War. By NORMAN J. PADELFORD. (New York: The Macmillan Company. 1942. Pp. xii, 327. $3.00.)

The existence of the Panama Canal must be attributed to the vision of men who saw "beyond the limitations of existent realities." So also "the hope for a more ordered future, in which the Panama Canal and Canal Zone may play an important part in increasing the well-being of mankind, lies in similarly transforming present difficulties through enlightened leadership and continued vision."

Thus the author of this latest work on one of the greatest achievements of mankind's genius for construction concludes his preface. Human welfare is not, however, the theme of his book, nor is his theme developed in tune with that aspect of his subject. "It would be erroneous to suppose that the United States built or now maintains the Canal for altruistic ends." The stated purpose of the study is "to describe the Canal as a going concern" in what the author regards as its primary capacity as a part of the national defense system and the national economy and in its so-termed secondary function of furnishing transit for a price to the maritime vessels of other countries. Effort is made to answer questions which confront governmental officials, persons in charge of ships which use the Canal, employees operating the great seaway, lawyers, and the public at large as to how it functions in peace and in war. This the author has accomplished in a competent and workmanlike manner.

After outlining the history of the project from its beginning as far back as the sixteenth century, the book sets forth a careful exposition of American rights and powers as stated and defined in the numerous treaties and agreements that have been entered into both before and subsequent to

the construction of the Canal. The normal operation and safeguarding of the Canal, the regulations under which it functions, and the computation of the tolls by means of which it is mainly financed are fully described, as is also the complex array of measures of protection that have been invoked in time of war and emergency. The up-to-dateness of the book is attested by a section dealing with the Lend-Lease Act in the light of the obligations of the international law and treaties applicable to the Canal Zone.

The chapter entitled "Government, Administration, and Business Enterprise" seems likely to be the one of most interest to political scientists. Aided by a comprehensive organization chart, the author takes his readers through a long series of offices, departments, and lesser divisions, from the Governor of the Panama Canal (who is also president of the Panama Railroad Company) and the Engineer of Maintenance down through the ranks to "Silver Messes" and "Mindi Dairy." In doing so, he does much to show not only what this great governmental service is, but how it carries on and what it accomplishes. Following on is a discussion of the economic significance of the Canal, largely devoted to a valuable analysis of the trade passing through it, but also setting forth its own record as a commercial enterprise, which is declared to be "an eminent achievement."

The book may readily be pronounced a worthy contribution to scholarship, meriting congratulations to the author, to the faculty of the Fletcher School of Law and Diplomacy in which he is professor of international law, and to the Bureau of International Research, Harvard University and Radcliffe College, which aided in the work. Few works are flawless. In this one, for example, surely some critics would take exception to the opening sentence of Chapter I: "Manifest destiny impelled the United States to acquire and fortify an interoceanic canal. . . ." The phrase contained in the first two words occurs again in the Conclusion. It seems of doubtful consistency with scholarship.

WALLACE MCCLURE.

U. S. Department of State.

Inside Latin America. By JOHN GUNTHER. (New York and London: Harper and Brothers. 1941. Pp. xi, 498. $3.50.)

This third volume in Mr. Gunther's "Inside" series is at once indispensable and irritating, a useful contribution to the popular literature on the subject and at the same time a dangerous reed to lean upon.

As in his *Europe* and his *Asia*, the author follows his customary chatty style, his penchant for anecdote and pen portraits. The well-known Guntherian formula has been followed successfully in this volume, and the result is that the book has for months been on all the best-seller lists.

That, in a sense, is a pity, because if the American public in such large numbers is suddenly determined to inform itself about things Latin American, the information should stem from a better grounding than this author has. Bryce's *South America* (to take a much earlier book) or the recent volumes by Aikman and Schurz, for example, have much sounder interpretations than does *Inside Latin America.*

The great value of Gunther's current volume is that it has a mass of pertinent information not to be found elsewhere. It tells us who the important personalities are, what their leanings are, what their backgrounds have been. The material is not always well digested and sometimes not accurate, but in many cases it would be extremely difficult to get from any other convenient source.

The great defect of the book is its tendency to loose and slipshod statements. Thus: Great Britain took British Honduras from Central America a little after 1833 (p. 24); Cuba became an American protectorate in 1898 (p. 25); Mexico is "fabulously" rich (p. 53); Argentina was the first Latin American state to win independence (p. 285); Cuban sugar reached a low price soon after the first World War of three and a half cents a pound (p. 464; actually it was about half that price). The prize example, though, is the statement (p. 395) that one can find along the banks of the Amazon "snakes that may weigh five tons." This reviewer's herpetological counselor reports that Mr. Gunther's snakes are about 9,650 pounds too heavy!

The author's accenting and use of proper names is ordinarily accurate, but at times the Mexican president is reported to be Avilá, at other times Camacho, and at still others Avilá Camacho. Gunther's sympathy for his characters is usually apparent, but his understanding of them is not always so obvious. He has seen with a reporter's keen eye, but his view has often been limited to the surface.

The reader swims—and occasionally sinks—in facts and yet more facts. The author quotes, for example, a lyrically beautiful descriptive paragraph, a poem in prose, from an article about Argentina by Archibald MacLeish and follows it immediately with the statement that "at least 70 per cent of Argentinians live by agriculture—though the production of industrial goods is steadily increasing—and about 95 per cent of the country's total exports are animal or agricultural products." Then the facts continue for 200 more pages. Parts of the volume sound too much, indeed, as if Mr. Gunther had simply copied out his day-to-day notes for the typesetter.

The author's plan of attack was to fly through Mexico, Central America, along the west coast of South America, and back up the east coast, with a glance at the Caribbean. Unlike Caesar, he flew, he interviewed, he wrote. The first chapter is a general survey, the second deals with "The

Fifth Column and Hemisphere Defense," the next twenty-eight with the successive republics, and a final chapter with "What To Do About It." Throughout his study, the author is very conscious of the Axis menace in Latin America.

A reviewer should not be too critical of Mr. Gunther. He is not at home in Latin America to the extent that he is in Europe; but, after all, the book and its sales are as much a commentary on the American reading public as upon Mr. Gunther. Despite its faults, the book has much good material. If only the publishers could furnish a few grains of reportorial salt with each copy sold, all would be well with the inside of Latin America.

RUSSELL H. FITZGIBBON.

University of California at Los Angeles.

The German Delegation at the Paris Peace Conference. BY ALMA LUCKAU. (New York; Columbia University Press. 1941. Pp. xv, 522. $5.00.)

This volume consists of 112 pages of historical monograph, twelve letters of Walter Simons to his wife, twelve pre-armistice documents, and fifty-eight German and Peace Conference papers or related documents. Of the documents, fifteen are published for the first time. The others are assembled from a few printed sources familiar to scholars, twenty-two from David Hunter Miller's *My Diary at Paris*. All who knew or respected Dr. Simons will be glad to have his memorabilia. Miss Luckau writes up the German side of the peace negotiations, which are here sometimes said not to be negotiations since they were in writing rather than in conversation. The German delegation functioned at Paris from April 29 to July 11, 1919; its work is followed in narrative and documents only up to June 22, when the Brockdorff-Rentzau delegation resigned with the fall of the Scheidemann cabinet.

The nature of official documents is that they record the steps actually chosen to be taken out of a number of possible steps. Miss Luckau, for instance, found ten drafts for the German speech of May 7, 1919. For this continuous significance in identifying what was and was not used, and for other reasons, definite standards for editing documents are requisite, and these are a responsibility of the editor more than of the author. The following faults of editing are noted: The "unsatisfactory" (p. 18, note 112) official English versions from *Foreign Relations* are left unannotated; the annexes to Nos. 35, 43, 53, and 54 are unaccounted for; the alternative texts (also involving omissions or additions) of Nos. 36, 46, 49, 56, 57, 60, and 66 are unreflected here.

The reviewer noted two items missing from the list of sources. A series of ten brochures under the general title *Materialien betreffend die Friedensverhandlungen* was issued at Berlin "im Auftrage des Auswärtiges Amtes" in May and June, 1919, and scattered broadcast. Senate Document No.

149, 66th Cong., 1st Sess., assembles the exchanges of notes after May 7, 1919, respecting the *Conditions of Peace with Germany*. Its history may be mentioned. President Wilson, on August 8, 1919, made an unresponsive reply to a Senate request for Peace Conference papers. As I had coming to me at Boston everything given to the press at Paris, I made a practice of frustrating the hostile and heated imaginations of vocalizing senators by turning over for publication files that would tend to pit fact against fiction. Sen. Doc. 149 was presented by Senator Lodge for printing November 5, 1919. These two contemporary publications contain thirty-three documents pertinent to and not recorded in the volume under review. They change the focus of the picture no more than the book itself alters the perspective existent before its publication. But in case anyone wants to bring together what already exists in reasonably compact form, the supplement might contain:

May 21, 1919. Allied extension of time limit, *Conditions*, 77; *Materialien*, I, 43.
June 17. Further Allied extension of time, M., IX, 5.
June 17, 18. Allied apology and German acceptance, M., IX, 6–8.
June 22. Full power of Haniel, M., IX, 25.
——— Accession of Bauer Government, M., IX, 26.
——— Vote of confidence of Reichstag, 31 (cf. Doc. 60).
June 23. Allied reply to Doc. 65, C., 165; M., IX, 35.
——— German protest on French troop movement, M., IX, 37.
June 24. Allied transmission of treaty proofs, M., IX, 38; German corrections to French and English texts, 39–66.
——— German request to negotiate Rhineland occupation agreement, M., IX, 67.
June 25. Allied refusal to negotiate beyond Art. 432, M., IX, 68.
——— Allied note on Scapa Flow sinkings, C., 167; M., IX, 75.
——— Allied note on German troops in Poland, M., IX, 82.
——— German protest at arrest of press attaché and Allied reply, M., 85, 86.
——— German inquiry as to surrender of eastern territory, M., IX, 89.
June 26. German full powers for signing, M., IX, 90, 97.
June 27. German note respecting the Rhineland arrangement and Allied reply, M., IX, 70, 73.
——— German note on delegation's diplomatic immunity, M., IX, 87.
——— Allied transmission of authenticated text of treaty, M., IX, 91.
——— German note on the protocol, M., IX, 93.
——— Allied note on duration of blockade, M., IX, 94.
——— German note on repatriation of prisoners, M., IX, 96.
June 28. Verification of German full powers for signing, M., IX, 98.
——— German reply on Scapa Flow sinkings, M., IX, 80.
July 5. German inquiry and Allied reply as to instruments to be ratified, C., 169.
July 10. German note on deposit of ratifications, C., 170.
July 11. Allied note acknowledging deposit and raising blockade, C., 170.

DENYS P. MYERS.

World Peace Foundation.

The Politics of Mercantilism. By PHILIP W. BUCK. (New York: Henry Holt and Company. 1942. Pp. viii, 240. $2.00.)

Coming as it does in the midst of the recrudescence of political and economic dictatorship in Germany, Russia, Italy—in fact, everywhere—this is a very timely volume. In a bright and scholarly treatment, the author has deftly patterned an artistic mosaic of the economic and political doctrines of the pamphleteers, known as the English mercantilists, who wrote on these subjects from the fifteenth century through the eighteenth, principally during the century and a half before Adam Smith. The five chapters of the book contain a brief historical background of English mercantilism and economic doctrine (which the author is able to formulate into a remarkably coherent system), the political implications of the mercantilist economics, and the structure of the mercantilist state (so far as the mercantilists had ideas on political science) which was to implement the economic program; and finally a critique of political doctrine and comparisons with present-day totalitarianism.

As an economic system, economists have been accustomed to criticize mercantilism as crude, confused, and incomplete. The individual doctrines, e.g., balance of trade theory, bullionist, colonial, navigation, and population policies, as well, have been considered very bad economics when judged by modern standards. In the framework of existing international relations and of the mercantilist's political objectives, however, the system itself, and the doctrines too, become not only intelligible but reasonable. Perhaps the author goes too far in asserting that economists have failed to recognize this.

According to Professor Buck, "the interdependence of political and economic phenomena" as a fundamental social fact was fully appreciated by the mercantilists. This he calls their chief contribution to political science and economics. Politics and economics cannot be separated without destroying the benefits of collective action on the one hand, or safeguarding genuine social values of freedom of speech and criticism and the maximum sphere of liberty for individual action on the other. The most serious charge against the mercantilists, according to the author, relates to the powers which they were willing to extend to the state without investigating its nature or its sanctions, and also the casual attitude which they had toward problems of administration.

The author has drawn his material from a wealth of primary sources, available in only a few libraries in this country, and has very successfully employed the device of selecting, with discrimination, quotations from the contemporary authors themselves. The text is well documented, and at the end of the book longer notes are found covering an extensive bibliography of English mercantilist writings on particular subjects.

No student of political science, and no economist, should deny himself

the profit and pleasure of turning to this book. It is a happy contribution coming at an appropriate time.

JAMES W. BELL.

Northwestern University.

Essays on Antisemitism. EDITED BY KOPPEL S. PINSON. (New York: Conference on Jewish Relations. 1942. Pp. xi, 202. $2.00.)

Jews in a Gentile World. EDITED BY ISACQUE GRAEBER AND STEWART HENDERSON BRITT. (New York: The Macmillan Company. 1942. Pp. x, 436. $4.00.)

In a world where apostasy from the liberal faith of the nineteenth century seems to be increasing, the problem of social and political minorities, always with us, assumes an even greater significance. And it is primarily as approaches to the question of minorities in general that these books ought to be examined.

A. L. Sachar and Maurice Samuel, among others, have dealt recently with what is perhaps the oldest minority of all, and their insights have thrown much-needed light on a very complex subject. The books under review fall into the same category, approaching the problem from almost every conceivable point of view.

The studies edited by Professor Pinson include essays by Ralph Marcus, Solomon Grayzel, Joseph Reider, Guido Kisch, Samuel Rosenblatt, I. L. Wechsler, Jacob R. Marcus, and Z. Driesendruck. Essays in the first part examine the question historically and regionally, while the second part is composed of analytical studies. Among the most helpful of the essays, to the student of law and politics, is one by Kisch on the medieval law relating to Jews—a subject which has been notoriously neglected in the past.

The second volume is the more comprehensive of the two, and is the collaborative effort of eighteen authors, including such well-known writers as Carl J. Friedrich, Miriam Beard, J. O. Hertzler, and Talcott Parsons. It is difficult to imagine an aspect of the problem of antisemitism which has not been treated here—from the anthropological to the economic and social. Indeed, the reader will probably suffer from what might be called a surfeit of thoroughness and long for at least a brief chapter enabling him to see the woods amidst so many trees—but that chapter he will not find.

An endeavor is made in both books, and quite successfully, to demonstrate the falsity of certain popular statements about the place of Jews in a world of Gentiles. That Jews do *not* control, but constitute only an infinitesimal part of, the banking structure; that they are not a separate "race"; that their native mental capacity is neither higher nor lower, on the average, than that of others; that they do *not* control the press; that

their place in the motion picture world has been grossly exaggerated—these facts are demonstrated beyond peradventure of doubt. Their so-called peculiarities are shown to be largely socially conditioned and "characteristic" not only of Jews but also of other groups similarly circumstanced.

The antisemite, if he were to act rationally, would, after perusing these assays, have to give up his antisemitism. But, as many of the essayists recognize, antisemitic beliefs are essentially rationalizations of prejudices, and to destroy the rationalizations will not eliminate the prejudices. What is the solution? A few advocate assimilation, both culturally and through process of inter-marriage. Yet others urge that Jews as a distinct national group have a definite contribution to make to the culture of the world, and that inter-group collaboration and mutual conference—for example, between Jews and Christians—will provide the basis for a settlement. None recommends the Zionist escape. Some point out that a large measure of responsibility rests upon the Jews themselves—that other minority groups, such as the Quakers, have established such standards of conduct for themselves as to transform persecution and suspicion into confidence and respect.

But whatever the answer, the student of social and political theory will find these essays enlightening.

MULFORD Q. SIBLEY.

University of Illinois.

BRIEFER NOTICES

AMERICAN GOVERNMENT AND POLITICS

The problem of the materials to be covered in introductory courses in municipal administration is a perennial one. Recently, emphasis has been shifting from detailed consideration of the activities of line departments to more elaborate reviews of the controls exercised by auxiliary technical services. This trend is apparent in Stuart A. MacCorkle's *Municipal Administration* (Prentice-Hall, pp. viii, 406, $1.40). It is, in fact, carried to the point where discussion of the major purpose functions is brief and general in nature. The opening chapters on organization and functions in public administration cover familiar ground in an interesting manner. Forms of municipal organization and state-local relations are treated next under the general title of municipal administrative practices. The auxiliary technical services comprise the bulk of the book. Established points of view with reference to personnel agencies, fiscal officers, and other means of control over line departments are treated surely. The growing importance of personnel administration at the municipal level is handled in a balanced manner in the light of the needs of small and large cities.

Although the author places considerable emphasis on what should be in personnel administration, through its development as a tool of the executive in management, he realistically observes that this practice seldom prevails in local government. In his treatment of the functions of the personnel agency, he again emphasizes the desirable goals to be attained by using the personnel agency in the positive rather than the negative sense. The analysis of these positive aspects is brief, but the point of view throughout is constructive and thoughtful. The treatment of fiscal management likewise emphasizes the best practices in organization and procedures. The views of leading authorities have been assembled to give an over-all analysis of the procedures which municipal administrators should keep in mind as adequate and appropriate in budgeting, accounting, pre-auditing, post-auditing, and reporting. The commentary on taxation throws into relief recent trends in municipal revenue systems, stressing, as one would anticipate, the growth in federal aid and state-collected, locally-shared taxes. In the discussion of municipal borrowing and indebtedness, the emphasis is again placed on desirable principles and practices in administration. According to plan, such line activities as the protective functions and welfare administration are dismissed in a summary manner. Throughout, the author has held to his announced emphasis upon the tools of management and their proper use by administrators. For students who are beginning their work in the field of public administration, this book will serve as a clear and general appraisal of the problem of management at the local-government level. It should lead them forward to other works in the field and, let us hope, to the broad areas of public service now open. —A. W. BROMAGE.

In *State Supervision of Local Finance* (Public Administration Service, pp. vii, 65, $1.25), Wylie Kilpatrick goes beyond his earlier studies (*State Administrative Review of Local Budget-Making*, 1927, and *State Supervision of Local Budgeting*, 1939) to survey the entire field of state supervision of local finance. He describes the state organizations set up for this work and summarizes the laws and the state supervisory procedures with respect to local accounting systems, state audits, financial reporting to the state, central control of local budgets and expenditures, supervision of debt incurrence and retirement, and devices for state receiverships and credit facilities for local units. Covering all forty-eight states in one brief survey, the author is compelled to resort to tables to present much of his information. The topical treatment that he is almost forced to use makes it impossible to present the entire system in any one state in such a way as to make it stand out clearly and in bold relief. Despite this blurring of the outlines, the picture is reasonably complete and certainly accurate. As a reference work, the study has a very high value. The author believes that

the main purpose of any system of state supervision and control over local finances should be to improve local administrative methods and strengthen local self-government. If there is any reader who feels that the states have gone too far in their meddling in local finance, he will get much comfort by reading between the lines of this study. Remembering that there are forty-eight states, he will be surprised to learn that only one or two use this device for state supervision and only a half dozen use that. How effectively is the state's work done? Everywhere the cry is that there are not enough men and money in the state offices to do what is needed. No state has yet introduced a complete system of uniform local accounting. No state provides a complete annual audit of all local accounts. Local taxpayer appeals to the state against proposed local tax levies, budgets, and bond issues affect only a small percentage of all cases, and in most of these the local authorities are upheld. Thus in fact state supervision of local finance has many difficult miles still to travel. It is doubtful whether in our time we shall see much of this road traversed. The resistance of local authorities to regimentation by the state is truly astounding.—WILLIAM ANDERSON.

Eugene Perry Link's *Democratic-Republican Societies, 1790–1800* (Columbia University Press, pp. xii, 256, $2.75)—Number 9 of the *Columbia Studies in American Culture*—is based upon an unusually conscientious and detailed study of a very substantial quantity of source material, some of it not previously examined, concerning popular political societies in the United States in the last decade of the eighteenth century. These are the "self-created" societies which were at one time the object of a bitter attack by George Washington. The author is of the opinion that they were squarely in the main stream of the great democratic tradition of the United States. In the course of his study, Mr. Link has uncovered useful data concerning the membership of the societies, the social philosophy of the movement, the programs and activities of the associations, and the influence of contemporary European opinion on the movement in America. The social and political ferment of the early years of the constitutional period is evident on every page of the volume. Students of politics will be interested, not merely in the issues of public policy agitated by the promoters of early political associations, but also in the developing technique of organization. If we agree with the general proposition that freedom of association is the greatest of all civil liberties, it follows that the origins of political organization in the United States are a rewarding subject of investigation. Indeed, the most convincing evidence of the importance of these associations is to be found in the attitudes of their contemporary critics. The societies of 1790–1800 were pre-party in character, and are therefore significant as the forerunners of modern party

organization. Readers will be grateful to Mr. Link for making available to them an excellent statement of the function of free associations in democratic communities, formulated one hundred and fifty years ago by the Democratic Society of Canaan, New York: "We prefer societies [as a way of investigation and communication], because in them every grade of capacity can furnish something to the general stock of improvement, and because they tend to fraternity, consistence, and due order."—E. E. SCHATTSCHNEIDER.

American Society and the Changing World (F. S. Crofts and Co., pp. xiii, 601), by C. H. Pegg *et al.*, evolved as a textbook for an introductory course in social science, and from the experience of a group teaching such a course at the University of North Carolina. The authors have not been able to rise above the inherent handicap of sketchy treatment of too wide a variety of subjects scattered throughout the fields of political science, history, economics, and sociology; and they are insufficiently identified, both on the title page and in their respective chapters. The oft-repeated error that the Senate of the United States ratifies treaties occurs on p. 22, placing upon the instructor an unnecessary burden of explanation, although the correct statement by another author appears on p. 246. Some chapters are poorly organized, e.g., "Vital Principles and Forces in Politics"; others are not well integrated, e.g., "The Second World War." Although the book is for an introductory course, the author of the chapter on the Far East assumes "that the reader is already familiar with the main features of European imperialism in Africa and Asia!" Consequently, pp. 161–167 are inadequate and in some instances misleading, as on p. 167 where it is stated that the signatories to the Nine-Power Treaty of 1922 undertook "to *maintain* China's independence and territorial integrity." The commitment—correctly stated by another author on p. 340—was to "respect" that integrity. The chapter on Latin America is excellent, but it could be strengthened by an enumeration of the obstacles to hemisphere solidarity. Part II, "The United States and Its Problems," will commend itself particularly to exponents of the New Deal. It is to be regretted that a full appraisal of the shortcomings as well as the praiseworthy achievements of the New Deal program is not presented, e.g., in chapters on labor, unemployment, and social security. The splendid chapter on propaganda might have been included among the "vital forces" in politics. Good chapters deal with the structure of American government, our foreign policy, government and business, agriculture, and conservation. Possibly the strongest section of the book is the last, devoted to sociological problems. Too large and difficult a task was undertaken; but only thereby do we progress.—WILSON LEON GODSHALL.

"Organizing for Total War," *Annals of the American Academy of Politi-*

cal and Social Science (pp. i–ix, 1–199, March, 1942, $2.00), edited by Francis J. Brown, is a symposium "almost exclusively by those who are directly responsible for the administration of the basic programs so essential in total war." It includes articles on the nature of military defense, mobilization, selection and utilization of man-power, the non-service education program of the Canadian Legion, health and rehabilitation of registrants, and venereal disease control, from both the medical and military points of view. Following the articles on production planning and industry, Professor Paul Eliel insists that labor should take the initiative in supporting the war effort by encouraging bond sales, ceilings on wages, and especially by the elimination of gangster elements and the slow-down. He thinks labor should make the citizen aware that labor leads in the battle of the production lines by every possible speed-up of production—however distasteful this may be to many labor leaders. Secretary Wickard discusses the rôle of agriculture. Significantly, he does not advocate ceilings on farm prices. Professor Hadley Cantril's study of shifts in American opinion about the world crisis will interest students of foreign policy. The problems of our fifth column are considered, and also the contribution of private civilian morale agencies, international, domestic national, local community (grass roots), and government (morale) agencies—especially the Office of Facts and Figures. The reader will find discussed the possibilities of economic freedom, and the reëmployment and post-war planning which must follow peace. David Cushman Coyle brings the symposium to a conclusion with the suggestion that to build permanent peace we must use our power unselfishly to produce a world order "permeated by good-will."—ROBERT W. MCCULLOCH.

M. M. Chambers' *The Colleges and the Courts, 1936–1940* (Carnegie Foundation for the Advancement of Teaching, pp. 112, gratis) supplements by bringing down to 1941 an earlier book by the same author in collaboration with President E. C. Elliott. Both volumes present an analysis of "judicial decisions regarding higher education in the United States"; that is, they deal with judicial pronouncements on intra-school relationships—such as the rights and duties of students and faculty with respect to the college or university—as well as with the relationship of the college or university to government and the public. Undoubtedly both volumes have found their way to the desk of many a school administrator, but that will hardly exhaust their usefulness. For the general reader, here writ large are intimations of the impact of changing social pressures upon our educational system. Here, too, is the antidote for the distortion which the sensationalism of the press is apt to foster. Thus the much publicized Bertrand Russell case in New York is presented, of course, but not without its companion, the neglected California Bertrand Russell case in which a different result was reached. Similarly, the well known

Missouri Gaines case is discussed, but so is its counterpart, the little known Missouri Bluford case, in which a United States district court laid the basis for what could become a serious limitation on the rule of the Gaines decision.—WALLACE MENDELSON.

In *Uncle Sam's Stepchildren* (Rutgers University Press, pp. x, 310, $3.75), Loring B. Priest deals with the bungling experiments and changes in the Indian policy of the United States from 1865 to 1887. These changes were dictated by a curious mixture of idealism, carelessness, and greed on the part of the whites. Though believing that "few people in the history of the world have suffered so long or so severely as the American Indian," the author treats his subject with an objectivity which most writers on the subject do not attain. The policies pursued from 1865 to 1880 were, the author thinks, uniformly unsuccessful, but pointed to something better in the eighties. The chapters on the Dawes severalty act are the most interesting. Even this supposedly benevolent measure, carried through with the aid of land-hungry whites, miscarried as a reform. The study is well documented, and the footnotes indicate the use of a large number of important sources. There is no formal bibliography. Since this detailed work is likely to have a greater appeal for the professional than the general reader, the wisdom of placing the footnotes at the end might be questioned. This scholarly work is an important contribution to our literature on Indian policy.—WILLARD H. SMITH.

E. E. Naylor, formerly assistant budget officer of the District of Columbia, has an excellent background for his recent book, *The Federal Budget System in Operation* (Washington, pp. vii, 306). In clear-cut, although sketchy, fashion, he traces the wretched spending experience of the government between 1789 and 1921, when there was little pretense to budget control. Very succinctly, he describes the awakening, at the turn of the century, to the need for budget reform, the pioneer work of President Taft's Committee on Economy and Efficiency, followed by the services of the Institute for Government Research, the passage of the resultant bill which brought the reluctant veto of President Wilson because of a feature which he believed unconstitutional, and the final passage of the measure during the administration of President Harding. The author describes the Bureau of the Budget set-up, showing the complete responsibility of the President in budget-drafting and the manner in which each administrative agency must justify its request for money before the budget message is sent to Congress. He points out the unification of appropriation work in Congress and a bit of the detail work in House and Senate. Here there is a brief chapter, though it would seem that a couple of solid chapters would give a more balanced picture, since

the Budget Bureau does not function at all except within the lines of great policy worked out in general legislation. The last half of the book is given over to charts and graphs illustrative of budget work.—BURTON L. FRENCH.

Students of state fiscal administration will be indebted to Paul Alyea for his interesting study, *Alabama's Balancing Budget* (Bureau of Public Administration, University of Alabama, pp. vi, 142), which details the efforts of Alabama to extricate herself from the system of deficit financing caused in part by a lack of proper budgeting methods during a long period of time (state income had balanced with outgo in only four years between 1907 and 1932). As a corrective measure, the Budget and Control Act was enacted in the latter year, and the study deals with the achievements of the state under this and the amendatory act of 1939. The author shows fairly conclusively the close relationship of administrative to fiscal reform; the difficulties involved in financial reform in a state in which the earmarking of funds is so widespread, and consequently in which the general fund is so unimportant; the improvements which have come as a result of a change from a legislative to an executive budget; and the progress which has been made in budgetary control and accounting. The areas in which little or no progress has been made have been pointed out, and accordingly recommendations have been made for further progress. Although of local application, this study is one more piece of evidence to support the unchallengeable view that the era of unplanned state government must end.—WILLIAM H. COMBS.

Among the many books on American democracy which have recently appeared, *The American Idea* (Harper and Brothers, pp. 278, $2.50), edited by Eugene T. Adams, stands out as an attempt to summarize in a broad and elementary fashion the principal factors which have contributed to the creation of democracy in the United States, not merely as a political system but as a national "way of life." It represents the combined work of nine members of the faculty of Colgate University, each of whom contributed a chapter. Two chapters are devoted to the development of political democracy and one to democracy in the American economy; the remaining six attempt to set forth the democratic contributions or the democratic limitations of American science, art, literature, education, religion, and philosophy. The last chapter, an introduction, and a postscript were written by the editor. Despite the varied authorship, the limits of space, and the necessity for generalizations and for frequent elaborations of the obvious, the result, on the whole, is successful in what the volume sets out to do, namely, to give the intelligent citizen a brief review of the democratic forces in the United States which have determined or

reflected the dominant spirit of freedom, with its variety of expression and constantly changing aspect.—O. DOUGLAS WEEKS.

Fair and adequate solutions for problems of employee-employer relationships necessitate detailed case studies of these matters in various industries and occupations. Samuel E. Hill's *Teamsters and Transportation* (American Council on Public Affairs, pp. xix, 248, $3.75) meets this need as regards the inter-city trucking industry in New England. The study examines the nature of the industry, its major problems, union attitudes and activities, collective bargaining experiences, and employer organizations. One is surprised at first to note that in this industry employer organizations have received union encouragement. It has been found simpler to negotiate one contract with one organization than to negotiate individually with the many employers in the industry. However, there has been cause for worry lest employer organizations should become too strong—especially after one of them seemed to be advocating a closed shop for employers. The study should prove useful to the student and to the administrator of labor relations. It should not, however, be accepted as a study of a typical employer-employee relationship, since certain factors found here are not common to industry generally—notably the numerous employers who were employees not long ago, and the union encouragement of employer organizations.—CHRISTIAN L. LARSEN.

In his *La Follette and the Establishment of the Direct Primary in Wisconsin* (Yale University Press, pp. 107, $1.00), Allen Fraser Lovejoy portrays in a careful study the struggle to secure adoption of the direct primary. At the time, nominations for public office were made in convention; vested interests could control the election of delegates without great difficulty. La Follette realized the unrepresentative character of the system and wished to return the controls of government to the people. He proposed that nominations be made by direct vote of the electorate. This aroused the opposition of various interests. In order to further the program, La Follette became a candidate for governor. He failed to secure the nomination in his first attempt, but, undaunted, made many speeches in different parts of the state and secured much favorable publicity and support. He was elected governor in 1900. Various direct primary bills were introduced into the legislature. The senate blocked their passage. La Follette again took up the cudgels for the proposal in his campaign for reëlection and brought the issue to a successful end—not, however, without considerable difficulty. The effort's success in Wisconsin gave great impetus to the Progressive movement in the country and brought national attention to a forceful leader.—WALDO SCHUMACHER.

The Housing Yearbook (Chicago: National Association of Housing Officials, pp. 405, $3.00), edited by Coleman Woodbury and Edmond H.

Hoben, is a compendium of information presenting (1) a summary of state and local housing activities; (2) recent developments in public housing, through a series of articles written by various authors; (3) a summary of the activities of unofficial housing organizations; (4) the recent activities of the Association itself; and (5) a directory of housing agencies. Since the book was prepared, an executive order (February, 1942) has consolidated various housing activities of the federal government under a single organization, the National Housing Agency. *The Yearbook* is a valuable reference work for all interested in housing, whether state or municipal officials, real estate men, contractors, social workers, or students of housing problems.—HELEN I. CLARKE.

FOREIGN GOVERNMENT AND POLITICS

Two dollars is the price of *Problems of Modern Government* (University of Toronto Press, pp. xiii, 124, $2.00), edited by R. MacGregor Dawson. In terms of the stimulation one derives from reading this collection of addresses and articles, five of which formed a series of lectures given under the auspices of the University of Toronto's department of economics, the book is worth many times its cost. Charles H. McIlwain contributes "The Present Crisis of Constitutionalism," in which he argues that "England's great, even unique, contribution to constitutionalism is no mere Germanic origin that she shared with so many other countries." Arthur W. Macmahon gives us a fresh and penetrating appraisal of American federalism under the title "Taking Stock of Federalism in the United States." It is refreshing to find both brilliant writing and due modesty in Macmahon's treatment. He has doubts about the yardstick he is using in his stock-taking, but he is never at a loss for the neatly turned word, phrase, or sentence. Dawson, J. A. Carry, R. A. MacKay, and Alexander Brady deal with "The Impact of the War on Canadian Political Institutions," "The Federal Dilemma," "Canada and the Balance of World Power," and "The Economic Activity of the State in the Dominions." To the reviewer, H. McD. Clokie's "Democratic Possibilities in a Totalitarian World" is most significant. It is characterized by tough reasoning in answer to the question, "Must a totalitarian social order be accompanied by a state of dictatorship?" (Clokie envisions an *après guerre* totalitarianism for America because the planning and supervisory machinery built up during the war will have to be utilized to win the peace.) The eventual answer to the question he raises is "No." And the "No" is based upon the continued functioning of old political parties and upon newly invented democratic controls over administration.—J. G. HEINBERG.

The Balance Sheet of the Future (Robert M. McBride and Co., pp. xii, 303, $2.75), by the Right Hon. Ernest Bevin, is a curious compilation put together mostly from speeches made by Mr. Bevin during 1940 and

1941. The often fragmentary statements are arranged in chapters according to subject-matter, and not according to time, place, or audience, and the table of "sources" is vague and occasionally confused. Some of the material is general political exhortation, and in this there is nothing of note, since Mr. Bevin had always endorsed the official Labor policy. About half the material consists of statements of the author as to his labor policies, and explanations of the way they worked. This part of the book is not only fascinating to read, but full of wise suggestions as to how labor can be guided rather than regimented—the essential point of Bevin's policy. Without a constant realization of the background from which the book comes, the volume loses much of its significance. When the Parliamentary Labor party sent its leaders into the Churchill Government of May, 1940, in order to help carry out their own long-declared international policy, they did it with the realization that they were hazarding those domestic policies for which they had striven so long and so hard. Their position was particularly difficult since (owing to the election of 1935) there were fewer Labor members of first-rate ability in the House of Commons than officers which they might have had. In filling the office of Minister of Labor and National Service, those who constructed the ministry felt it desirable to replace previous incumbents by a "strong man," and also to let a labor leader be responsible for any regimentation that they might require labor to undergo. In view of the deficiency of parliamentary Labor leaders, the position was given to a man who had had wide experience in the trades-union movement but no parliamentary experience at all. Mr. Bevin already occupied a peculiar position in the public eye. By many conservatives, he was assumed to be "red." The extreme radicals, on the other hand, considered him a proto-fascist. As Minister of National Service, he was between two fires. On the one hand was labor, believing that its privileges were part of the democracy that England was fighting for. On the other hand were capital and property, formally acknowledging their liability to conscription, but desiring that the complete conscription of labor should come first. Mr. Bevin disappointed both groups. The keynote of Mr. Bevin's policy is touched in his book again and again. "I am told that I ought not to make these appeals, and not to persuade people but to order them. Every decent manager knows that if you overdo the ordering business, you get a reaction and disaster . . . I am told that I ought to compel people to do these things. My answer is that when you have compulsion you must have the ability to select, and when you have to undertake the task of selection, clever as you may be, you are apt to select the wrong people." This is not a book intended for students or scholars, but it is singularly interesting, and for many Americans today may have practical value.—EUGENE P. CHASE.

In spite of so-called American complacency, many people in the United

States were before Pearl Harbor actively preparing against the day when the devastations of war would threaten our security. The American Public Welfare Association presented Mr. Eric H. Biddle with the unique opportunity to study the effects of the war upon the English people. In his pamphlet, *The Mobilization of the Home Front; The British Experience and Its Significance for the United States* (Public Administration Service, Publication No. 81 pp. vi, 47, $0.60), Mr. Biddle recounts his experiences and observations "during the series of blitzes that began with London in September, 1940, and ended with Hull in July, 1941." The author describes British civilian defense administration, including the integration of local and national authorities and the coördination of the activities of all volunteer groups and official agencies, and considers also the broader problem of civilian mobilization. Out of this experience he suggests a program of positive action for the United States. Mr. Biddle admits that "it would be impossible to transfer bodily to United States agencies the pattern of war-time structure and practice of British civilian agencies" (p. 39). He insists, however, that the basic problems are "intrinsically the same" for both, and that the United States should to that extent profit from British experiences. The United States should avoid a civilian defense program which develops a "defense complex," and it must realize that total war demands that special attention be given to the well-being of the civilian population—the industrial and agricultural workers. Thus health and sanitation, food and shelter, recreation and social security, will be more important factors in national defense than bomb-shelters and fire-wardens. A successful defense program must emphasize aggressive action. The French did not comprehend the problem; in Great Britain, the lesson was learned only after Dunkirk. We may hope that the American defense program will be immeasurably strengthened by the English experiences so admirably reported by Mr. Biddle. The pamphlet is a real contribution to thinking and planning in terms of total war.—HAROLD M. DORR.

In *The German People versus Hitler* (G. Allen and Unwin; distributed in the United States by W. W. Norton, pp. 370, $3.25), Heinrich Fraenkel has produced a long, diffuse, and poorly organized book dealing with the various elements of internal opposition to the Nazi régime. Much of the material is pre-war and is a threshing over of old straw already well winnowed. Perhaps the most interesting discussions are those of illegal literature and illegal broadcasting. Writing in December, 1939, when hostilities were still in the "phony" stage, the author holds that the German people were well on the way to ridding themselves of Nazism when Hitler went to war to save his power. Fraenkel admits that the task of riddance was thereby made "immeasurably more difficult." Subsequent developments have shown that the difficulty is far greater now than he

envisaged in 1939. The Germans believe they are faced with a choice between total victory and total defeat. Naturally, they prefer the former, even though it means a continuance of National Socialist rule. Among the exiles, Fraenkel is a less interesting writer than Rauschning; and his contribution to an understanding of the Third Reich is inferior to those made by Shirer, Harsch, and others. The style of the volume is excessively slangy, and there is no index.—ROGER H. WELLS.

Samuel E. Thorne's edition of *A Discourse upon the Exposicion & Understandinge of Statutes* (Huntington Library, pp. vii, 194, $5.00) will interest every student of public law and English constitutional history, and will be indispensable for the specialists concerned. The *Discourse* is here printed "from two versions found among the Ellesmere Papers, now at the Huntington Library." Both manuscripts are in Thomas Egerton's hand, but the author of the *Discourse* is unknown. The editor concludes that it was written "prior to 1571, and probably prior to 1567." It is described in the preface as "the earliest treatise yet brought to light on the interpretation of statutes in England." In a learned Introduction of one hundred pages, Mr. Thorne seeks "to place the *Discourse* in perspective." He develops the important thesis that the emergence of the modern public law conception of statutory interpretation was dependent upon the emergence of the idea of parliamentary sovereignty. To the present-day reader, the style and spelling of the *Discourse* are, of course, quaint. Disjunctively appears as "disiunctyvelie," equity as "equytye." Yet many rules have a thoroughly familiar ring: "So that theffecte of the estatute lyeth in the bodye & bowells of the statute," as distinguished from the preamble. "The seconde case whereby the statute shall be taken is *ex mente legislatorum.*" Penal statutes are to be strictly construed, "for the law alwaies favoureth hym that goeth to wracke, nor it will not pulle hym on his nose that is on his knees." Also strictly to be construed are "those statutes that doe abridge the kynges prerogative." Fascinating passages relate to such matters as proclamations and the power of dispensation.—JAMES HART.

The revised edition of *Economic Principles in Practice* (Farrar and Rinehart, pp. 659, $3.50), by Bruce Winton Knight, is designed as a textbook for collegiate courses in economic principles. Only matters of possible interest to students of political science are treated in this review. Unfortunately for this purpose, there is little in the book, of an explicit nature, to report on. The author's views on the rôle of government in economic society may, however, be gathered from the current of thought that runs through many of his chapters. Contrary to the *laissez-faire* school, he insists on the need for positive governmental controls in many

areas of our economy. He appraises many of the New Deal reforms as essential to strengthening our economic machine and keeping it in operation, and he expresses the judgment that there is need for increasing participation of government in economic matters. It is the reviewer's opinion that Professor Knight has a realistic appreciation of the important rôle that government must play in our extremely complex and non-self-directing economy. It is for the political scientist to understand the need for, and to provide the governmental machinery best suited for, this active participation of government in economic affairs.—NATHAN L. SILVERSTEIN.

The thirtieth volume of the *Annuaire International de Législation Agricole* (International Institute of Agriculture, pp. lxxiv, 762) contains the text of agricultural legislation adopted throughout the world in 1940. The Introduction by the Secretary-General of the Institute of Agriculture, Professor Ugo Papi, should be particularly helpful.—MULFORD Q. SIBLEY.

INTERNATIONAL LAW AND RELATIONS

The Destiny of Sea Power and Its Influence on Land Power and Air Power (W. W. Norton and Co., pp. 262, charts, $2.75), by John P. Cranwell, emphasizes various changes in land and aërial warfare which have lagged far behind corresponding developments in naval equipment and tactics. For example, Cranwell shows that the use of armored, cannon-bearing vehicles on land and in the air is much more recent than the appearance of such vehicles at sea. Likewise, coördinated maneuvers of masses of tanks and planes began long after navies pointed the way by operating warships in fleets. From instances such as these, Cranwell concludes that land and air forces could be greatly modernized through closer adherence to naval precedents. As advances spread from naval to land and aërial fighting, Cranwell holds, all forms of warfare become increasingly alike, for they rely on the use of armed vehicles. Only through careful coördination of these vehicles, he adds, can the strength necessary to achieve victory today be obtained. Cranwell believes, however, that air power may ultimately become the dominant element, and that a modified aërial version of Admiral Alfred Thayer Mahan's concept of command of the sea may then win wars. In presenting the foregoing theses, Cranwell writes as a staunch champion of naval ways. At times, this attitude leads to minor difficulties, as when he upholds the invulnerability of battleships so shortly before some of these mighty vessels were sunk in the Pacific by aërial attack. Despite his tendency to magnify the navy unduly, at times, and a certain looseness in the organization of materials, the volume remains a basically valid, provocative, and useful

document. Written in the layman's language, it reveals an essential unity amidst the apparent chaos of modern technological warfare.—WILLIAM BEARD.

Kate L. Mitchell's *Industrialization of the Western Pacific* (International Secretariat, Institute of Pacific Relations, pp. xvii, 322, $2.50) will be hailed as a valuable addition to the steadily expanding list of the I. P. R. Inquiry Series. The stated purpose of Miss Mitchell's study was "to describe the extent and nature of industrial development in the countries of Eastern Asia and the Southern Pacific," and this purpose has been most satisfactorily fulfilled. In a compactly written text of less than 300 pages, illustrated by 78 statistical tables, the author sets forth the development, and—so far as the available statistics permit—the present status, of industry in Japan, Formosa and Korea, Manchukuo, China, French Indo-China, Thailand, British Malaya, Burma, Netherlands Indies, the Philippines, Australia, New Zealand, and India. Throughout this vast area, populated by approximately half of the human race, only Japan has achieved a fully developed industrialism, and even before the outbreak of the Sino-Japanese War in 1937 it had become obvious "that Japan could not develop a 'war economy' and also maintain the expanding trade in manufactured goods which was so essential for the continued prosperity of the Japanese people as a whole" (p. 30). Although the Japanese now claim to be fighting a war of liberation for the people of Asia, Formosa, Korea, and the puppet state of Manchukuo have been ruthlessly exploited in the past in the interests of Japan's own industrial needs, and the extension of the "New Order" to include China and the Malay World is primarily intended to provide Japanese factories with ever-increasing supplies of raw materials. Yet the Western powers, as Miss Mitchell makes clear in the last half of her study, have little reason for pride in their records. In the areas under Western control, as in those under the domination of Japan, all tendencies toward industrialism—except such as would facilitate the production and export of agricultural and mineral raw materials—have been consistently opposed and obstructed. Throughout the Asiatic possessions of Britain, France, the Netherlands, and the United States, political and financial controls have been effectively employed to prevent the growth of modern local industries which might threaten to impair the profits of industrial interests in the ruling country; and in the case of Britain this policy of economic subordination was applied even to the self-governing dominions of Australia and New Zealand. American policy in the Philippines changed with the passage of the Tydings-McDuffie Act; but the British, French, and Netherlands governments did not withdraw their opposition to industrialism in their colonies until the weakness of their Far Eastern

position was brought home by the growing Japanese menace.—G. NYE STEIGER.

In *Social and Industrial Problems of Shanghai* (Institute of Pacific Relations, pp. 74, mimeo., $0.50), Eleanor Hinder has produced additional facts and interpretations which excellently supplement Robert W. Barnett's *Economic Shanghai: Hostage to Politics*, also a publication of the Institute of Pacific Relations. Miss Hinder writes "with special reference to the administrative and regulatory work of the Shanghai Municipal Council. As chief of the Social and Industrial Division of the Shanghai Municipal Council, she has done a pioneer piece of work in the Shanghai International Settlement in bettering industrial conditions and in developing a consciousness of working conditions among employers, both foreign and Chinese. The author discusses industrial conditions, economic and social aspects of employment, employment relations, labor organization, housing, and problems of food, nutrition, education, and child protection in relation to workers in Shanghai. Two factors—lack of adequate legal authority to regulate industrial conditions and lack of understanding of modern employment requirements by the Chinese employers—conditioned the effectiveness of Miss Hinder's work for the Shanghai Municipal Council. Progress toward better conditions received set-backs because of two war periods, 1932 and 1937. Miss Hinder, however, found that the new problems occasioned by hostilities had to be dealt with, and in some cases older difficulties were lessened. Writing before December 7, 1941, Miss Hinder sees signs of progress in new plants, changing attitudes of Chinese employers to balance the great difficulties caused by refugee populations, plant destruction, and the like. It is highly probable, that in spite of complete Japanese control of Shanghai now, the progress made under Miss Hinder's able administration may be of lasting benefit to the Chinese on resumption of their authority over the city. WILLIAM C. JOHNSTONE, JR.

In his *Prisoners of War* (American Council on Public Affairs, pp. 179, $2.75), William E. S. Flory has produced a very readable book dealing with the development and present status of that part of international law which relates to prisoners of war, with special reference to British and American practice. The author states frankly that he has made no attempt "to investigate thoroughly the treatment actually accorded prisoners," but has, rather, based his work mainly on "expressed governmental policies and rules." He likewise indicates that "little reference has been made to the second World War because it is impossible, on the basis of the small amount of information available, to ascertain trends, or even to determine governmental policies." Within these limitations, he pre-

sents in successive chapters studies of "Prisonership Categories," "Status and Maintenance," "Activities and Compsensation," "Police Power Limitations," "Release by Consent," and "Release by Other Means." There is also an introductory chapter devoted mainly to historical background, and a brief final chapter entitled "Dynamics of the Law." An excellent selected bibliography and an index complete the volume. Though perhaps inevitably bound to disagree with some of Mr. Flory's conclusions as to existing rules, particularly customary law, the expert will nevertheless find his monograph a handy reference for information and material on many matters of detail not usually covered in the general treatises on international law. The layman, too, should find the book of both interest and value in times like the present when treatment of prisoners of war is frequently a matter of discussion—sometimes very uninformed discussion—in the press, on the air, and elsewhere. Furthermore, for the layman, the volume should serve as an antidote to the frequently held view that there is no more international law. For in it are to be found a not inconsiderable number of rules of that law, and, as Mr. Flory remarks, "despite frequent charges of violation, these rules are more likely to command respect than those proscribing activities that tend to weaken the enemy or to destroy his forces or resources."—VALENTINE JOBST III.

America and World Mastery (Duell, Sloan and Pearce, pp. 338, $2.75) is John MacCormac's very readable contribution to speculative thought on how to win the peace. It may also be described as a good answer to Austen Chamberlain's pointed question: "Must not Americans sometimes think that it would be wiser—and safer—to help guide the course of international events rather than always suffering their consequences?" After telling of America's debt to England, and of Anglo-American friction as well as trade, Mr. MacCormac explains the reasons for America's neurotic political isolationism. He proves clearly "that a free world and even a free America will be impossible unless the United States accepts world responsibility" in coöperation with the entire British Commonwealth of Nations—not in Streit's "Union Now," but rather in a better League of Nations, "a world government of laws" even now backed by the integrated war efforts of the English-speaking nations. The author believes that the inevitable alternative to such a Pax Britamericana is an Anglo-German alliance, even if it means the total loss of Canada, which is half lost already. He makes it crystal-clear that the total bankruptcy of isolationism as practiced by both Britain and the United States is written for all men to see—"not in red ink but in red blood." This sage observation leads one to ask where Russia will fit into the post-war picture.—J. VAN DER ZEE.

Every collection of essays by a group of authors is of necessity a *mélange* of good, bad, and indifferent observations, with a minimum of unity in viewpoint or treatment. The twenty-six contributors to *War as a Social Institution; The Historian's Perspective* (Columbia University Press, pp. 33, $3.50), edited by Jesse D. Clarkson and Thomas C. Cochran, achieve a similar result, despite the heroic efforts of the editors to organize and integrate the various articles into a consistent whole. The pieces, most of which are here published for the first time, represent a collection from papers delivered at the 1939 and 1940 meetings of the American Historical Association. The book, say the editors, "may perhaps be taken to reflect, even in its internal disagreements, the present mood of the profession . . . and may aid a wider public to appreciate some of the factors which specialists, in a perpetually troubled world, deem worthy of consideration." Seven essays deal with sundry aspects of "The Roots of War," four with "The Strategy and Conduct of War," two with "The Neutral and the War," ten with "War and Society," and four with "America and the Present War." All the contributions are informative and suggestive. A few are intellectually exciting. Suffice it to say, with no implication of invidious distinctions, that the most brilliant and provocative of the articles are those contributed by Kimball Young, Bronislaw Malinowski, H. A. De Weerd, Arthur Rosenberg, Benjamin Williams, J. Fred Rippy, and D. F. Fleming. The greatest merit of this work is that the editors have consciously sought to correlate the approach of the traditional historian with that of the social and political scientist. In this endeavor they have come very close to success. The result deserves careful attention by all who are seeking light on the causes, techniques, and consequences of armed violence as an instrument of national policy.—FREDERICK L. SCHUMAN.

On May 21, 1941, the American cargo vessel *Robin Moor* was sunk by a German submarine in the South Atlantic. Passengers and crew were set adrift in two lifeboats and reached safety only after long voyages on the open sea. In *Freedom of the Seas and International Law* (Court Press, pp. 54, $0.50), James W. Ryan uses the incident as the point of departure for a brief treatment of some aspects of the law of neutrality, including contraband and the destruction of enemy and neutral prizes at sea. The book consists of many quotations from relevant treatises on international law, court decisions, treaties, and diplomatic correspondence, interspersed with rather sparse comment by the author. There is little new material here, but the book serves as additional emphasis on the fact that the law of contraband has broken down in the face of modern totalitarian warfare. More important still, the author shows that any right on the part of belligerents to destroy enemy or neutral prizes at sea is contingent on the

elemental obligation first to assure a place of safety for the passengers and crew. An open lifeboat far at sea is not a place of safety—thus the connection with the *Robin Moor*. In the case of the *Robin Moor*, the Germans violated not only general international law and specific international agreements, but also, it appears, even the German Prize Code promulgated in 1939 at the outbreak of the war. The organization of materials in this book is not always effective. There is no table of contents, index, or bibliography. However, citations to cases and other references are included in the body of the text.—WILLIAM I. CARGO.

War in the Far East has perhaps concentrated academic as well as popular emphasis on the immediate foreground of scholarship; but American political scientists may find that, at war's end, the purely technical side of their Far Eastern field has been transformed by a number of new, provocative interpretations of Sinocentric civilization. Dr. Franz Michael's *The Origin of Manchu Rule in China; Frontier and Bureaucracy as Interacting Forces in the Chinese Empire* (Johns Hopkins Press, pp. viii, 127, $2.00) is in its conclusions, although not in its contents, a support and further development of Owen Lattimore's recent work on the Chinese frontier. Dr. Michael shows that the Chinese frontier is no mere static limit, but is itself a dynamic political force in China, and illustrates his thesis with the Manchu rise to power, 1583–1644. Accordingly, barbarians never conquered China; culturally "naturalized" Chinese did so, and succeeded only by acquiescence of the vast interior. This modifies the platitude that China absorbed all conquerors, and the study possesses social-science as well as sinological importance. Significant analogies between the Manchus in 1642 and the Japanese in 1942 are generously left by the author to the reader. For example, Dr. Michael says of Manchu propaganda: "This application of Chinese philosophy, the talk about virtue and Tao . . . must seem at first view pretty much like a farce if one compares all this with the reality of . . . conquest. Yet one must not forget that behind the philosophical language of the Chinese state ethics there were always hidden very real political processes" (p. 105).—PAUL M. A. LINEBARGER.

Abraham Weinfeld's *Towards a United States of Europe* (American Council on Public Affairs, pp. 52, $1.00) is a plan for European federation based on the American constitution. His federation would be composed of all the states of Europe, including Turkey, but excluding Britain and Russia, and might form part of a world-wide organization. In the first thirty pages, the author presents his case for a close federation, discusses some constitutional questions, such as separation of powers, and suggests the machinery by which his plan could be put into operation after the

War. In the remaining pages, he provides a text of the constitution for the United States of Europe and a short commentary on it, explaining variations from the model. By outlining a definite plan for federation, Dr. Weinfeld draws the reader's attention to the problems which must be solved if order is to prevail in Europe; but, in the reviewer's opinion, the particular proposals for a presidential system here made will not meet these problems. Nor is his argument for bringing about this type of European union convincing. However, his brief comment on nationalism and his proposal for dealing with the problem of minorities show a very real understanding of the nature of the problems needing to be studied.—HOWARD B. CALDERWOOD.

In *A Wavering Friendship: Russia and Austria, 1876–1878* (Harvard University Press, pp. xiv, 599, $5.00), George Hoover Rupp adds a solid, informative book to the Harvard Historical Studies and the literature dealing with the Eastern Question in the eighth decade of the nineteenth century. It covers to a certain extent the same material as the comparatively recent books of B. H. Sumner of Oxford, David Harris of Stanford, and various short studies by German scholars. Each author, however, has viewed the material from a somewhat different angle. As the title indicates, the work under review concentrates on the relations of Russia and Austria during the critical years, 1876–78. The author emphasizes that the crisis of 1875 was the product of both Russian Panslavism and a military group in Austria, that the Russian diplomatic agents had conflicting objectives, and that the policies of the two governments developed slowly after due consideration of the policies of other powers and the course of events. The author naturally stresses the Reichstadt meeting, the mission of Sumarokov-Elston, the rôle of Bismarck, the Budapest Convention, Ignatiev's tour, the war, and the breakdown of the Reichstadt agreement. The book is written in a clear, but not distinguished, style, and has the apparatus usually found in books of an academic character.—C. P. HIGBY.

For a brief survey of the Netherlands Indies one can turn to that found in *Netherlands Overseas Territories* (Royal Institute of International Affairs, Information Department Papers, No. 28, pp. ix, 92, Oxford University Press, $0.75). This survey of a country with an extremely complicated society and administrative system is a splendid example of successful compression. It is weakest in its treatment of political affairs and strongest in dealing with the economic development of the dependency. This convenient little work also contains surveys of Surinam and Curaçao and the small islands in the Caribbean known as the Dutch West Indies. The surveys, each only a few pages in length, give the most significant facts about these small but not unimportant colonies.—A. VANDENBOSCH.

Neutrality, 1941 (Yale University Press, pp. 70, $1.00), by Harold Bartlett Whiteman, Jr., is the third in a series of undergraduate prize essays written at Yale. It considers general conceptions of neutrality, "United States" and "international" neutrality, the repeal of the arms embargo and the destroyer deal, and concludes with a plea for "neo-neutrality" as described by Cohn. It is a good representative of the best essays written by college seniors. The concepts are large though clear, the sources mostly secondary, the writing, organization, and scholarly apparatus good. The printing of such essays should do much to encourage undergraduate writing.—LLEWELLYN PFANKUCHEN.

In their syllabus, *War and National Policy* (Farrar and Rinehart, pp. 131, $1.00), Grayson L. Kirk and Richard P. Stebbins have provided teachers and students with a useful outline for the study of the foremost problem of modern politics and, on the whole, a helpful guide to the best literature bearing upon the subject. Some will wish that the section on "National Organization for Total War" might have been expanded, even at the expense of the section on "Military Organization, Technique, and Policy;" but, all in all, readers will find the volume fairly proportioned.—JOHN A. VIEG.

POLITICAL THEORY AND MISCELLANEOUS

New Liberties for Old (Yale University Press, pp. xvii, 181, $1.75), by Carl Becker, is a collection of six essays written by an historian over the period 1936–1941, the volume taking its title from the first essay. In the book, the author attempts to treat historically and analytically the philosophic ingredients of democracy and of totalitarianism. Like all collections of the kind, the book lacks a certain fundamental continuity and integration necessary to a systematic study of social and political philosophy, and the viewpoint of the writer as to the operation of democracy, particularly in America, will not win a friendly popular reception at a time when the American people are dedicating themselves to the preservation of the very ideals to which the author claims they yield only lip-service. The first four essays are characterized by a critical attitude toward democratic institutions, virtues, and governmental operation, especially in the United States. Dr. Becker's analysis of democratic virtues leaves him in a pessimistic mood; he feels that they are rapidly disintegrating; that people are inherently selfish, superficial, materialistic, and not very intelligent. In America, whatever achievements we can boast of are largely the result of accident. "Whatever we do will be done for the realization of concrete practical purposes. If we achieve a planned economy, no one will have planned it. If we achieve socialism, it will be without having intended it. . . . Self-interest constantly obscures the common good, and government by discussion works best when there is nothing

of profound importance to discuss." Freedom of speech exists only for those who agree with the prevalent political ideology, and tolerance is a very relative term. The characteristic of the American temper is its pragmatism. The author's conclusion as to democratic virtues is that they are rapidly disintegrating and that when the representative principle, which we have retained from habit rather than conviction, disappears, democracy will be lost. In the last two essays, the reader feels the uneasiness of the author over having expressed perhaps too extreme a contempt for the operation of American democracy, and a desire on his part to soften the general effect of his condemnatory criticism. An untimely volume for public reading in these days of national stress!—ELIZABETH A. WEBER.

The relative efficiency of large, medium, and small business was the burden of Monograph 13 of the T. N. E. C. Kemper Simpson directed the compilation and interpretation of the basic data for the report, which the Federal Trade Commission prepared for the T. N. E. C. The conclusions of that study, with additional materials and broad generalizations, have been combined by Mr. Simpson in a volume entitled *Big Business, Efficiency, and Fascism* (Harper, pp. x, 203, $2.50). The book is divided into two parts. Part I presents a brief sketch of the rise of authoritarian government in Italy and Germany, and some comments on the efforts of the United States government to control large-scale business combination. These comments are followed by a general summary of the F. T. C's conclusions. Part II is a detailed discussion of the tables of Monograph 13 (none of the tables is reprinted), and there is an added chapter on the income of workers in large, medium-sized, and small companies which is not to be found in the T. N. E. C. monograph. The discussion of the monograph is an improvement on the monograph itself, and the monograph's conclusions are not misrepresented. The thesis of the volume is that the largest businesses are not the most efficient in terms of either costs or profits. This conclusion applies both to plants and to companies. High wages are not always found in the large enterprises. Although the findings are not so conclusive as on costs and profits, it is made clear that there is no significant correlation between large companies and high wages. The argument, so far, is based on adequate data. From this point, it moves to posit a relation between large business and unemployment, and thence to fascism as a solution for unemployment. The answer to this undesirable sequence of events is to break up the large business organizations and to rely upon competition. Competition is connected with democracy, for the competitive system allows opportunity for all and provides employment. But the connections between this sequence are not delineated clearly. The demonstration of the failure of large business to achieve efficiency, as measured by its own standards, is valuable.—CHARLES B. HAGAN.

Two volumes on war economics stand out as superior products of their respective types: *The Economics of Total War* (Appleton-Century Co., pp. xiv, 410, $3.00), by Henry W. Spiegel; and *War Economics* (Farrar and Rinehart, pp. x, 501, $3.00), edited by Emanuel Stein and Jules Backman. The latter represents the type of textbook which consists of selected articles or symposia, and the former represents an effort to organize and assimilate the new data and to integrate it systematically with the general principles of economics. Dr. Spiegel's book, appearing as a volume in the Century Studies in Economics, edited by Professor W. H. Kiekhofer, is one of the best balanced and most substantial treatments of this subject that has yet come to the attention of the reviewer. The reader does not get the impression that the book was written for the occasion. Despite the fact that the treatment is timely, fresh, and vividly contemporary, the complex aspects of the subject are carefully analyzed and systematically woven into an integral whole. The volume has unity, form, and solid content. Beginning with a realistic analysis of the economic motives and conditions causing warfare, the author proceeds to examine the nature of total warfare and the economic weapons for carrying on war in modern industrial societies. Emphasis is placed upon the war economy of the United States, but the experience of other countries—especially Germany and Britain (where the transition from peace to war was effected within the short period of a few months)—has been liberally drawn upon to illuminate the policies and institutional changes in this country. Following the Keynesian school, the author reacts against earlier tendencies to overrate the purely financial and fiscal aspects of war economics. The real sinews of war are men and materials, and the bulk of the volume consists of a treatment of man-power, the price system in war-time, labor problems, the control of production and consumption, strategic materials, and foods. The final chapters concern international economic relations in war-time, how to pay for the war, and the economic effects, or aftermath, of war. The author is greatly influenced by Pigou, Keynes, and Hicks, of the Cambridge School, which has done so much to develop this field of economics. The documentation is accurate and up to date, and the thirty-one pages of classified bibliography present titles of books and articles selected with intelligent discrimination. The volume edited by Stein and Backman consists of a well-organized symposium of seventeen chapters contributed by seven economists, describing the effects of the war on our economy and explaining the modifications which the impact of defense preparation and war in the United States forces us to make in the "principles of economics" as these operate in times of peace. The first chapter, on the transition from peace to war, serves as an excellent introduction. The nature of total war and the need for planning complete mobilization of all resources available through the several stages of

transition present a setting for subsequent chapters. The first eight of these concern maximizing war-time production, labor supply, wage rates and collective bargaining, war finance, price-fixing, and controls of supply and demand. A chapter is devoted to foreign economic regulations and trade control, which is followed by treatment of several special sectors of the economy, i.e., transportation, electric power, housing, agriculture, and consumers. Final chapters are devoted to the impact of the first year of the defense program on business and finance and to post-war problems of industrial demobilization. Fifty-odd pages of appendices contain selected legal material, a short description and a chart showing the present administrative organization of our war effort, and tabular representations on price control experience from June, 1940, to July, 1941. The book is not pretentious. It is frankly designed to serve as a text for college courses on the economics of war, current economic problems, or the like, and should help to satisfy the growing demand at this point.—JAMES W. BELL.

During these times, socially conscious people are naturally speculating on what kind of a world will obtain after the cessation of hostilities. In a very real sense, these speculations represent an honest attempt to define war and peace aims. The Twentieth Century Fund has an elaborate program in this province of social inquiry. The prolegomenon of a series of six volumes, Stuart Chase's *The Road We Are Traveling, 1914–1942* (Twentieth Century Fund, pp. 106, $1.00), merely seeks to state in general the grand scope of the later reports. Behind all his reasoning is Chase's faith in the creation of an economy of abundance. Alvin Hansen is the high priest, with his distinction between extensive and intensive investment. Money will become an instrument for making goods flow; the government will insure a decent standard of life for all. It is no utopia—only an open road down which men may march to the best good life attainable. An obvious omission from this volume is the failure to discuss the effect of war psychology, which in our age of total war is a revolutionary psychology, upon the attempts of the old order to institute a business-as-usual economy. The use of men and women for community ends during an emergency popularizes the idea of mutual interest. In this regard, the author might have interpreted the interim between World War I and II as only a phase in world revolution that began as soon after 1914 as the national peoples realized their importance in the attainment of national aims.—CORTEZ A. M. EWING.

The appeal of any book written before December 7 and addressed by a Briton at war to an American at peace has a certain quality of ancientry not absent from *The Strategy of Freedom* (Harper, pp. 114, $1.50), "an open letter to American youth" from Harold J. Laski. The values asso-

ciated with Laski literary parentage are present—clear statement, close logic, calm conviction, fearlessness, forthrightness. The thesis of the tract is the need of defeating Hitler—essential to America as to Britain, and essential to the preservation of what we call civilization. We are not permitted to forget that Mr. Laski is a Communist; but he is willing to hold his principles in abeyance—not denying them—while urging a common cause for Britain, America, and Russia. He emphasizes that despite certain imperialistic aspects of the war, in the last analysis the future of liberalism depends on a British victory. "There is no middle way in this war, the choice of one side or another is inescapable. . . . A British victory does not mean the attainment of Utopia; but at least it prevents it from being wiped off the map. It leaves standing a world in which we have the right to dream: to maintain that right as a living principle is a long step toward the fulfillment of the dream." While addressed to the younger American generation, the appeal lies as well to any American who has been trying to think the situation through.—KEITH CLARK.

What may be called Catholic scholarship in the realm of political thought is well represented by a doctor's dissertation by Winston Ashley on *The Theory of Natural Slavery According to Aristotle and St. Thomas* (Edwards Brothers, Inc., Ann Arbor, Mich., pp. vii, 156) submitted to the University of Notre Dame. There is already rich treatment of the classical sources on the subject of slavery, yet there is merit in the direct comparison undertaken here, in the clear-cut refinements of thought brought out, in the breadth of the implications for the theory of the state as a whole. There is ample and careful documentation. The net result is not far from the conventional estimate of Aristotle on the subject of slavery. St. Thomas, though with his debt to the Philosopher underscored, and despite his compromise with the traditionalism of his day, suffers no diminution in this analysis of his "unerring insight" into the nature of servitude. As against the enslavement of totalitarianism, and as against the "liberalism which equalizes men by debasing the life of the city," Christian thought must solve the present problem of the state—the problem of "how to separate the servile, the prudential, and the contemplative functions in the life of the state," and of how to do so in a way that will recognize each of these claims. The reviewer regrets only that the debt of the Christian tradition to Stoicism seems not to be sufficiently recognized.—WALTER SANDELIUS.

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SOME SELECTED PHILIPPINE DOCUMENTS

JAMES K. EYRE, JR.
Library of Congress

Observers have been quick to realize that the Philippines occupy a key position in the war between Japan and the United States. Prior to December 7, 1941, hurried steps were taken to prepare the insular territory for the coming crisis. The following publications of the Commonwealth Government, together with some analysis of their contents, throw light upon official activities in the Philippines during the uncertain period which preceded the state of war:

Bureau of Immigration, Office of the President, *Bulletins*, No. 1, Manila, 1940. Pp. 16.

This is the initial bulletin of the recently created Bureau of Immigration, and it explains the Philippine immigration law known as Commonwealth Act No. 613. As a document, it is of interest to students of international affairs, for the creation

of an immigration service was one of the measures undertaken by the Commonwealth to prepare the Philippines for the responsibilities accompanying independence. Furthermore, it was regarded as an effective method for regulating the influx of Japanese into the Philippines, a problem which had caused much concern. The new immigration law, approved by President Roosevelt on August 26, 1940, and proclaimed by the President of the Commonwealth on September 3 of that year, was put into effect on January 1, 1941. The bulletin points out that all previous immigration laws applicable to the Philippines, as well as the special provisions concerning the admission of Chinese, are superseded by the legislation. It provides for immigration quotas, and aliens seeking admission to the Philippines are also subject to qualitative restrictions. In accordance with the fact that the American government still controls the foreign affairs of the Commonwealth until 1946, only United States consuls serving abroad may issue visas, and this means that the Philippine Bureau of Immigration cannot pass upon the question of admitting an alien until he arrives at a local port of entry.

Headquarters, Philippine Constabulary, *Rules and Regulations for the Enrollment, Training, and Instruction of Volunteer Guard Members.* Manila, 1941. Pp. 20.

The Commonwealth Government issued a number of publications, of which this is one, regarding the problems which had to be met in the case of an international conflict involving the Philippines. This particular pamphlet lists the physical and other qualifications for the volunteer guard service in the local communities. Loyalty to the Philippines and the United States is stressed as a prerequisite. The functions performed by the voluntary guards, varying from general police duty to demolition and repair work, are briefly outlined. Monthly reports are to be submitted by the provincial inspectors to the Chief of Constabulary on the organization, training, service, and efficiency of the volunteer guards in their respective administrative units. Charts are furnished which indicate the airplane markings of some of the major Powers, and sketches given of the various types of naval craft.

Civilian Emergency Administration, *Rules and Regulations for the Organization and Training of Volunteer Guards and the Air Raid Wardens Service and Air Raid Precautions.* Manila, 1941. Pp. 60.

The announced object of this publication was to instruct the civilian populace on what to do during air raids and other emergencies. It gives, in their entirety, the executive orders of the President of the Commonwealth (Nos. 335 and 337), the first calling for the creation of a civilian emergency administration, and the second promulgating rules and regulations for the organization and training of volunteer guards. Pp. 17–33 repeat the material on the latter subject which appears in the pamphlet circulated by the Constabulary. The next twenty-seven pages contain information about the "Air Raid Precautions Service." The duties of air raid wardens are defined, including matters relating to protective shelters, blackouts, gas attacks, and the handling of bombs. The last section deals with the conduct of individuals responsible for warning the population of approaching enemy aircraft.

Office of Publicity and Propaganda, Civilian Emergency Administration, *The Civilian Emergency Administration and Its Service to the People.* Manila, 1941. Pp. 48.

With a preface by Dr. Camilio Osias, this booklet proposes to familiarize the Filipino people with the Civilian Emergency Administration and its many-sided activities. It contains the following contributions by the chiefs of the component

divisions of the C.E.A.: Charles H. Forster, Manager, Philippine Red Cross, "What to Do in Time of Evacuation and Distress"; Dr. Victor Buencamino, Food Administrator, "Food Production, Conservation, and Distribution"; Dr. Gregorio Anonas, Industrial Production Administrator, "Industrial Production"; Col. Henry Gilhouser, Fuel and Transportation Administrator, "Fuel and Transportation Service"; Alfredo G. Eugenio, National Air Raid Warden, "Air-Raid Protection"; Felipe Cuaderno, Director of Communications, "Domestic Electrical Communication System and the Present Emergency"; Dr. Camilio Osias, Director of the Office of Publicity and Propaganda, "Coöperation of Military and Civilian Elements."

Office of Publicity and Propaganda, Civilian Emergency Administration, *People's Guide in Emergency*. Manila, 1941. Pp. 59.

Intended for wide circulation, this booklet was published in Tagalog-English, Cebuano-English, Ilocano-English, and Hiligaynon-English. In addition to executive orders Nos. 335 and 337, it gives the text of No. 342 in the same series, which grants provincial governors the power of supervision and control over volunteer guard units in the provinces. It then presents the message of President Quezon to the National Assembly concerning the care of the civilian populace during times of war. Of special significance is the text of a radio address by Dr. Camilio Osias, presented on the "Voice of the Commonwealth" program, Station KZIB, Manila, May 23, 1941.

In an honest effort to prepare the Filipino people for an uncertain future, Dr. Osias emphasized the responsibilities of the Philippines in any war embracing the United States:

". . . For good or for ill, the Philippines and the United States have common ties that bind them together. The two peoples must stand together in this emergency. They cannot fall apart. We cannot too strongly urge the thought upon our population that when the United States declares war, the Philippines, without question or wavering, will be in that war. . . ."

The Director of the Office of Publicity and Propaganda then proceeded to give detailed instructions with reference to the behavior of the public in an emergency. This radio presentation is supplemented by another of Dr. Osias' speeches delivered at Baguio, May 27, 1941, concerning the rôle of the school system in the program of the Civilian Emergency Administration. The concluding page, which can be detached, framed, and posted in a conspicuous place, is captioned in bold type: "EMERGENCY POINTERS FOR THE CITIZEN." It enumerates a series of suggestions to be followed by the people, namely, to beware of rumors; to keep calm, etc.

Office of Publicity and Propaganda, Civilian Emergency Administration, *What Every Filipino Should Know about Propaganda* (by José M. Hernandez and Ricardo C. Galang). Manila, 1941. Pp. 56.

The joint authors, both members of the faculty of the Philippine Military Academy, point to the importance of propaganda in modern warfare. A competent and readable survey of the various kinds of propaganda is given, followed by a discussion of the general methods of propaganda analysis and the ways in which propaganda is disseminated. The thesis is advanced that propaganda is a legitimate function of democracy, and that, in order to protect itself, the Commonwealth Government should give serious thought to this problem. Of special interest is the next section, "Ways of Counter-Propaganda," which evaluates the success of Japanese and other foreign propaganda in the Philippines, and makes suggestions concerning the effective control of this outside influence. The policies of England, France, Germany, and Italy in the handling of propaganda are examined with the

purpose of deducing objective lessons which may be applied advantageously to the Philippines. The final chapter deals with the Civilian Emergency Administration and the participation of the people in its program.

Department of National Defense, Office of the Secretary, *Annual Report of the Secretary of National Defense to His Excellency, the President of the Philippines for the Fiscal Year 1940*. Manila, 1941. Pp. 75.

The Department of National Defense was organized on November 1, 1939, and this report covers the period ending June 30, 1940, or slightly less than eighteen months prior to the Japanese attack on Philippine territory. At the beginning, there is a convenient diagram showing the structural composition of the Department. The main body of the report throws much light upon the military position of the Philippines, especially in terms of preparations by the Commonwealth Government. For instance, it is pointed out that the European war interfered with plans for the expansion of the Offshore Patrol, which consists of swift torpedo boats. With two of these craft available, five others under construction in England were not delivered.

The vulnerability of the Philippines to an air attack is clearly recognized by the Secretary of National Defense: "The present war in Europe shows that the maintenance by a nation of a strong and efficient air force is absolutely essential. The building, therefore, of an air force in this country sufficiently large to command the respect of neighboring countries should be one of our immediate concerns." At the end are 14 appendices, presenting figures on the enlisted strength of the Philippine Army and similar matters.